

# Conditional Sales Agreement

WITNESSETH THIS AGREEMENT dated **June** \_\_\_\_, **2014**, by and between **THE STATE OF INDIANA** acting through the Indiana Department of Administration, ("Seller") and \_\_\_\_\_, ("Buyer").

In consideration of this Agreement, Seller and Buyer agree as follows:

1. Sale of Property. Seller agrees to sell to Buyer, and Buyer agrees to buy from Seller, the following property (collectively, "Property"):

- 1.1 Property. The property commonly known as **~9971 Carrollton Avenue, Indianapolis, Hamilton County, Indiana**, described on the attached **Exhibit A** ("Land") together with all buildings, improvements and fixtures constructed or located on the Land ("Buildings") and all easements of record and rights benefiting or appurtenant to the Land (collectively the "Property"), subject to all existing legal rights-of-way, easements, conditions and restrictions of record.
- 1.2 Access. The subject parcel currently has limited public access or right of entry. The buyer will be responsible for gaining legal access to the property. Ingress/Egress permits may be submitted to the Department of Transportation and approved or denied at the agencies sole discretion. No assurance of such a permit is expressed or implied.
- 1.3 Personal Property. No personal property is being sold or conveyed as a part of this Purchase Agreement.

2. Purchase Price, Buyer's Premium, and Manner of Payment. The total purchase price ("Purchase Price") to be paid for the Property shall be \_\_\_\_ Dollars (\$\_\_\_\_\_). The Purchase Price shall be payable as follows:

- 2.1 In conjunction with execution of this Agreement (the "Execution Date"), Buyer shall submit \_\_\_\_\_ Dollars (\$\_\_\_\_\_) to Seller as earnest money ("Earnest Money"). In the event this Agreement is not accepted by Seller, the Earnest Money shall be promptly returned to Buyer. Upon acceptance of this Offer by Seller, such Earnest Money shall secure the Buyer's performance of this Agreement and in the event of a default by Buyer in the performance of its obligations herein specified, Seller shall have the right to terminate this Agreement and the Earnest Money shall be paid to Seller as liquidated damages as Seller's sole remedy at law or in equity; and
- 2.2 The balance of the Purchase Price, subject to adjustments as set forth herein, shall be payable in certified funds or by electronic transfer of funds on the "Closing Date" (as hereinafter defined).
- 2.3 In addition to the Purchase Price, Buyer shall, at Closing as hereinafter defined, pay Seller's representative a 10% Buyer's premium pursuant to the terms of a separate addendum to this Agreement.

3. Contingencies and Inspection Period. The obligation of the Seller is contingent upon approval of the transaction contemplated by this Agreement as required by **IC 4-13-2-14.1, IC 4-13-2-14.2 and IC 4-20.5-7**.

4. Closing. In the event that Seller has accepted this Agreement and the parties proceed to closing, the closing of the purchase and sale contemplated by this Agreement (the "Closing") shall occur within thirty (30) days following State approval as set forth above (the "Closing Date"), **such final closing is subject to and conditional upon approval by the Office of the Governor and the Indiana Attorney General**, unless extended by mutual agreement of the parties. The Closing shall take place at a time, place, and on a date agreeable by Seller and Buyer. The Buyer will be responsible for title fees, escrow fees, and costs charged by the company with whom the earnest money is deposited as outlined in Section 5.1.

4.1 Seller's Closing Documents. On the Closing Date, Seller shall have executed and delivered or caused to be delivered to Buyer the following (collectively, "Seller's Closing Documents"), all in form and content reasonably satisfactory to Buyer:

4.1.1 Deed. A Quitclaim Deed conveying the Property to Buyer, **an exemplar of such Quitclaim Deed is attached hereto as Exhibit B**.

4.1.2 Documents. Copies of all contracts, permits and warranties affecting the Property that will survive the Closing, if any.

4.1.3 Sales Disclosure Form. An Indiana sales disclosure form.

4.1.4 Other Documents. All other documents reasonably determined by Buyer to be necessary to transfer title to the Property to Buyer free and clear except Permitted Exceptions to Title.

4.2 Buyer's Closing Documents. On the Closing Date, Buyer will execute and deliver to Seller the following (collectively, "Buyer's Closing Documents"):

4.2.1 Purchase Price. Funds representing the Purchase Price, by electronic transfer of immediately available funds.

4.2.2 Assumption of Contracts, Permits, Warranties and Miscellaneous Documents. An Assumption of Contracts, Permits and Warranties, if any, assuming Seller's obligations under such documents.

4.2.3 Sales Disclosure Form. An Indiana sales disclosure form.

4.2.4 Other Documents. All other documents reasonably determined by Seller or Title Company to be necessary to complete the transaction contemplated by this Agreement.

5. Allocation of Costs. Seller and Buyer agree to the following allocation of costs regarding this Agreement:

5.1 Title Insurance and Closing Fee. Buyer shall be solely responsible for the payment of all premiums and fees associated with title insurance, including any and all closing fees or recording charges. Buyer shall be responsible for payment, at or before Closing, of search fees charged by the title company from whom Seller obtained a preliminary title review and commitment. Unless waived by the title company, said closing fees shall be payable by Buyer whether or not Buyer obtains a policy of title insurance.

5.2 Taxes and Assessments. The Property being conveyed is owned by the State of Indiana and is exempt from all real property taxes. The Seller shall assume no responsibility or liability for any real property taxes or other assessments from which it is statutorily exempt. Buyer shall be solely responsible for, and indemnify Seller against, any and all real property taxes assessed with respect to the Real Property on or after Closing.

5.3 Utilities. Seller shall either ensure that utility service to the Property is disconnected as of the Closing Date or shall cooperate with Buyer in having such utility services transferred to Seller's account. All contracts relating to operating the Property shall be canceled as of the Closing Date.

5.4 Attorney's Fees. Each of the parties will pay its own attorney's fees.

6. Evidence of Title. In the event that Buyer does not order and receive a commitment for title insurance, Seller shall, at its expense, within ten (10) days after written request from Buyer, furnish to Buyer a copy of the documents by which the State obtained or otherwise holds title or a letter from the State Land Office describing the documents by which the State obtained and otherwise holds title. Seller will cooperate with the Buyer or its title company in clarifying or resolving any perceived deficiencies or clouds in the title, but shall not be required to incur any expense beyond commitment of the time of the State Land Office. If such issues cannot be resolved to Buyer's satisfaction, Buyer may terminate this Agreement, and the Earnest Money, if any, shall be returned.

7. Maintenance of the Real Property Prior to Closing. During the period from the date of Seller's acceptance of this Agreement to the Closing Date, Seller shall maintain the Property and improvements in a reasonably prudent manner. Seller shall execute no contracts, leases or other agreements regarding the Property between the date hereof and the Date of Closing that are not terminable on or before the Closing Date, without the prior written consent of Buyer, which consent may be withheld by Buyer at its sole discretion.

8. Representations and Warranties by Seller. Seller represents and warrants to Buyer as follows:

8.1 Existence; Authority. Seller has the requisite power and authority to enter into and perform this Agreement and to execute and deliver Seller's Closing Documents; such documents have been duly authorized by all necessary action.

8.2 Contracts. Seller has made available to Buyer a correct and complete copy of any Contract and its amendments which will survive a closing hereunder, if any.

8.3 Operations. Seller has received no written notice of actual or threatened cancellation or suspension of any utility services for any portion of the Property. Seller has received no written notice of actual or threatened special assessments or reassessments of the Property.

8.4 Litigation. To Seller's knowledge, there is no litigation or proceeding pending or threatened against or relating to the Property, nor does Seller know of or have reasonable grounds to know of any basis for any such action or claim.

8.5 Physical Condition. Seller makes no representation or warranty concerning the physical condition of the Property and puts Buyer to the obligation to satisfy itself pursuant to the contingency contained in Section 3 above.

9. Casualty; Condemnation. If all or any part of the Property is materially damaged by fire, casualty, the elements or any other cause, Seller shall immediately give notice to Buyer, and Buyer shall have the right to terminate this Agreement and receive back all Earnest Money by giving notice within thirty (30) days after Seller's notice. If eminent domain proceedings are threatened or commenced against all or any part of the Property, Seller shall immediately give notice to Buyer, and Buyer shall have the right to terminate this Agreement and receive back all Earnest Money by giving notice within thirty (30) days after Seller's notice. Termination of this Agreement and return of all Earnest Money are Seller's sole remedies

10. Notices. Any notice required or permitted hereunder shall be given by personal delivery upon an authorized representative of a party hereto; or if mailed by United States certified mail, return receipt requested, postage prepaid; or if transmitted by facsimile copy followed by mailed notice; or if deposited cost paid with a nationally recognized, reputable overnight courier, properly addressed as follows:

If to Seller: Commissioner  
Indiana Department of Administration  
402 W. Washington St., W479  
Indianapolis, IN 46204

With Copy to: Attorney General  
Office of the Indiana Attorney General  
302 W. Washington St.  
Indianapolis, IN 46204

If to Buyer:

With a Copy to:

Notices shall be deemed effective on the date of receipt. Any party may change its address for the service of notice by giving notice of such change ten (10) days prior to the effective date of such change.

11. Miscellaneous. The paragraph headings or captions appearing in this Agreement are for convenience only, are not a part of this Agreement, and are not to be considered in interpreting this Agreement. This written Agreement constitutes the complete agreement between the parties and supersedes any prior oral or written agreements between the parties regarding the Property. There are no verbal agreements that change this Agreement, and no waiver of any of its terms will be effective unless in a writing executed by the parties. This Agreement binds and benefits the parties and their successors and assigns. This Agreement has been made under the laws of the State of Indiana, and any suit must be brought in an Indiana court of competent jurisdiction.

12. Remedies. If Buyer defaults, and if Buyer fails to cure such default within ten (10) days of the date of notice of such default from Seller, then Seller shall have the right to terminate this Agreement by giving written notice of termination to Buyer. In the event of termination Seller will receive the Earnest Money as liquidated damages, time being of the essence of this Agreement. The termination of this Agreement and retention of the Earnest Money will be the sole remedy available to Seller for such default by Buyer, and Buyer will not be liable for damages or specific performance. Buyer's sole remedy for any default by Seller shall be termination of this Agreement and return of the Earnest Money.

13. Buyer's Examination. Buyer is relying solely upon its own examination of the Property and inspections in determining its physical condition, character, and suitability for Buyer's intended use of the Property and is not relying upon any representation by Seller or any broker, except for those made by Seller directly to Buyer in writing in **Exhibit C, which is attached to this agreement**. Buyer agrees and acknowledges that it is accepting the Property "**AS IS**" subject to all faults of every kind and nature whatsoever, whether latent or patent, and whether now or



hereafter existing, and Buyer acknowledges that it has based its decision to purchase the Property solely upon information obtained independently by Buyer. Buyer shall sign a Hold Harmless Affidavit, **an exemplar of such Hold Harmless Affidavit is attached hereto as Exhibit D**. Buyer shall acquire the Property subject to all laws imposed upon the Property by any governmental or quasi-governmental authority having jurisdiction thereof. Buyer represents and warrants to Seller that Buyer has not relied, and will not rely, upon the representation or statement, or the failure to make any representation or statement, by Seller or Seller's agents, employees or by any person acting or purporting to act on the behalf of Seller with respect to the physical condition of the Property.

14. Compliance with Telephone Privacy. As required by IC 5-22-3-7:

(1) The Buyer and any principals of the Buyer certify that (A) the Buyer, except for de minimis and nonsystematic violations, has not violated the terms of (i) IC 24-4.7 [Telephone Solicitation Of Consumers], (ii) IC 24-5-12 [Telephone Solicitations] , or (iii) IC 24-5-14 [Regulation of Automatic Dialing Machines] in the previous three hundred sixty-five (365) days, even if IC 24-4.7 is preempted by federal law; and (B) the Buyer will not violate the terms of IC 24-4.7 for the duration of the Contract, even if IC 24-4.7 is preempted by federal law.

(2) The Buyer and any principals of the Buyer certify that an affiliate or principal of the Buyer and any agent acting on behalf of the Buyer or on behalf of an affiliate or principal of the Buyer (A) except for de minimis and nonsystematic violations, has not violated the terms of IC 24-4.7 in the previous three hundred sixty-five (365) days, even if IC 24-4.7 is preempted by federal law; and (B) will not violate the terms of IC 24-4.7 for the duration of the Contract, even if IC 24-4.7 is preempted by federal law.

15. Withdrawal of Offer. This Agreement shall be deemed to be withdrawn, unless accepted by Seller, after one-hundred-fifty (150) days of delivery to Seller. In the event of a withdrawal under this section, Buyer shall be entitled the return of the Earnest Money.

16. Additional terms.

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17. Non-Collusion and Acceptance. The undersigned attests, subject to the penalties for perjury, that he/she is the Buyer, or that he/she is the properly authorized representative, agent, member or officer of the Buyer, that he/she has not, nor has any other member, employee, representative, agent or officer of the Buyer, directly or indirectly, to the best of the undersigned's knowledge, entered into or offered to enter into any combination, collusion or agreement to receive or pay, and that he/she has not received or paid any sum of money or other consideration for the execution of this Property Purchase Agreement other than that which appears upon the face of this Agreement.

**In Witness Whereof**, Buyer and the Seller have, through their duly authorized representatives, entered into this Property Purchase Agreement. The parties, having read and understood the foregoing terms, do by their respective signatures dated below hereby agree to the terms thereof.

**BUYER:**

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Signature

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Printed Name

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Title

**BUYER SHALL TAKE TITLE OF THE PROPERTY AS FOLLOWS:**

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**BUYERS PRIMARY ADDRESS:**

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**SELLER:**

State of Indiana acting through the Indiana Department of Administration.

By \_\_\_\_\_  
For:

## EXHIBIT "A"

Project: 0400289  
Code: 5084  
Parcel: 24 Excess Land

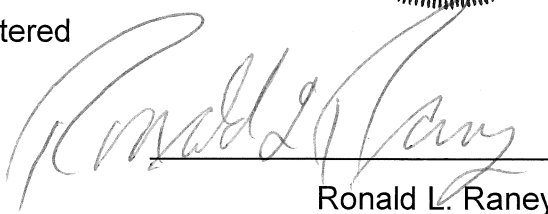
Sheet 1 of 2

A part of the lands acquired by the State of Indiana per Instrument #2010006941 and recorded February 16, 2010, in Hamilton County, Indiana described as follows: A part of Lots 66 & 91 of College Hills Addition to Hamilton County, Indiana, which subdivision is recorded as Deed Record 119, page 30-31, in the Office of the Recorder of Hamilton County, Indiana, and being all that part of the grantor's land lying within the right of way lines depicted on the attached Right of Way Parcel Plat, marked as **EXHIBIT "B"**, described as follows: Beginning at the southeast corner of said Lot 91, which point is on the northern Limited Access R/W boundary of Interstate 465; thence South 89 degrees 29 minutes 13 seconds West 86.22 feet along the Limited Access boundary of said Interstate 465; thence North 71 degrees 14 minutes 00 seconds West 32.22 feet along said Limited Access R/W boundary to point #9 on said plat; thence North 79 degrees 00 minutes 00 seconds West 286.52 feet along said Limited Access R/W boundary to point #10 on said plat, which point is on the west line of said Lot 66; thence North 0 degrees 30 minutes 47 seconds West 32.18 feet along said west line to the northwest corner of said Lot 66; thence North 89 degrees 29 minutes 13 seconds East 397.38 feet along the north line of said lots to the northeast corner of said Lot 91; thence South 0 degrees 30 minutes 47 seconds East 100.00 feet along the east line of said Lot 91 to the point of beginning and containing 28,562 square feet, more or less.

Reserving unto the State of Indiana the right to control access along the 286.52-foot, and the 32.22-foot courses described above in the legal description of 28,562 square feet, more or less. This shall be a covenant running with the land and binding on all successors in title.

This description was prepared for the Indiana Department of Transportation by Ronald L. Raney, Indiana Registered Land Surveyor, License Number LS 80870012 on the 1<sup>st</sup> day of November, 2012



  
Ronald L. Raney

## EXHIBIT "A"

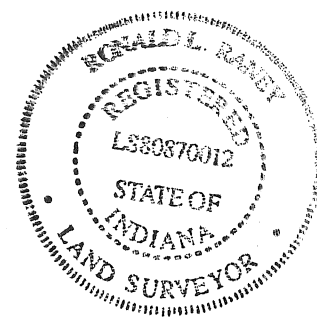
Sheet 2 of 2

Code: 0490

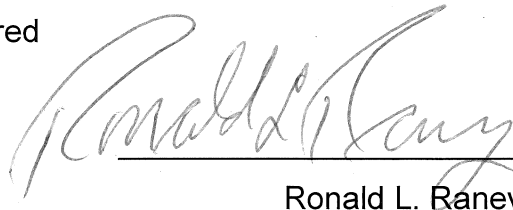
Parcel: 51 Excess R/W

A part of the lands acquired by the State of Indiana per Deed Book 207, page 316-318 and recorded October 27, 1966 and Deed Book 202, page 123-124 and recorded March 18, 1966, in Hamilton County, Indiana described as follows: A part of Lot 90 of College Hills Addition to Hamilton County, Indiana, which subdivision is recorded as Deed Record 119, page 30-31, in the Office of the Recorder of Hamilton County, Indiana, and being all that part of the grantor's land lying within the right of way lines depicted on the attached Right of Way Parcel Plat, marked as **EXHIBIT "B"**, described as follows: Beginning at the northeast corner of said lot; thence South 0 degrees 30 minutes 47 seconds East 30.16 feet along the east line of said lot to point #11 on said plat, which point is on the northern Limited Access R/W boundary of Interstate 465; thence North 71 degrees 14 minutes 00 seconds West 91.34 feet along the Limited Access R/W boundary of said Interstate 465 to the north line of said lot; thence North 89 degrees 29 minutes 13 seconds East 86.22 feet along said north line to the point of beginning and containing 1,300 square feet, more or less.

Reserving unto the State of Indiana the right to control access along the 91.34-foot course described above in the legal description of 1,300 square feet, more or less. This shall be a covenant running with the land and binding on all successors in title.



This description was prepared for the Indiana Department of Transportation by Ronald L. Raney, Indiana Registered Land Surveyor, License Number LS 80870012 on the 1<sup>st</sup> day of November, 2012

  
Ronald L. Raney

# PLAT OF EXCESS LAND

## EXHIBIT "B"

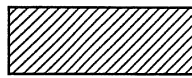
Code: 5084

Parcel  
Project: 0400289  
Road: Interstate 465  
County: Hamilton  
Section: 12  
Township: 17 North  
Range: 3 East

Instrument #2010006941, Dated 2-4-2010  
Book 207, page 316, 5-19-1966  
Book 202, page 123, 11-30-1965

Drawn By: J.Pilk Sr. 11-1-12  
Ck'd By: R.L. Raney

Scale: 1" = 100'



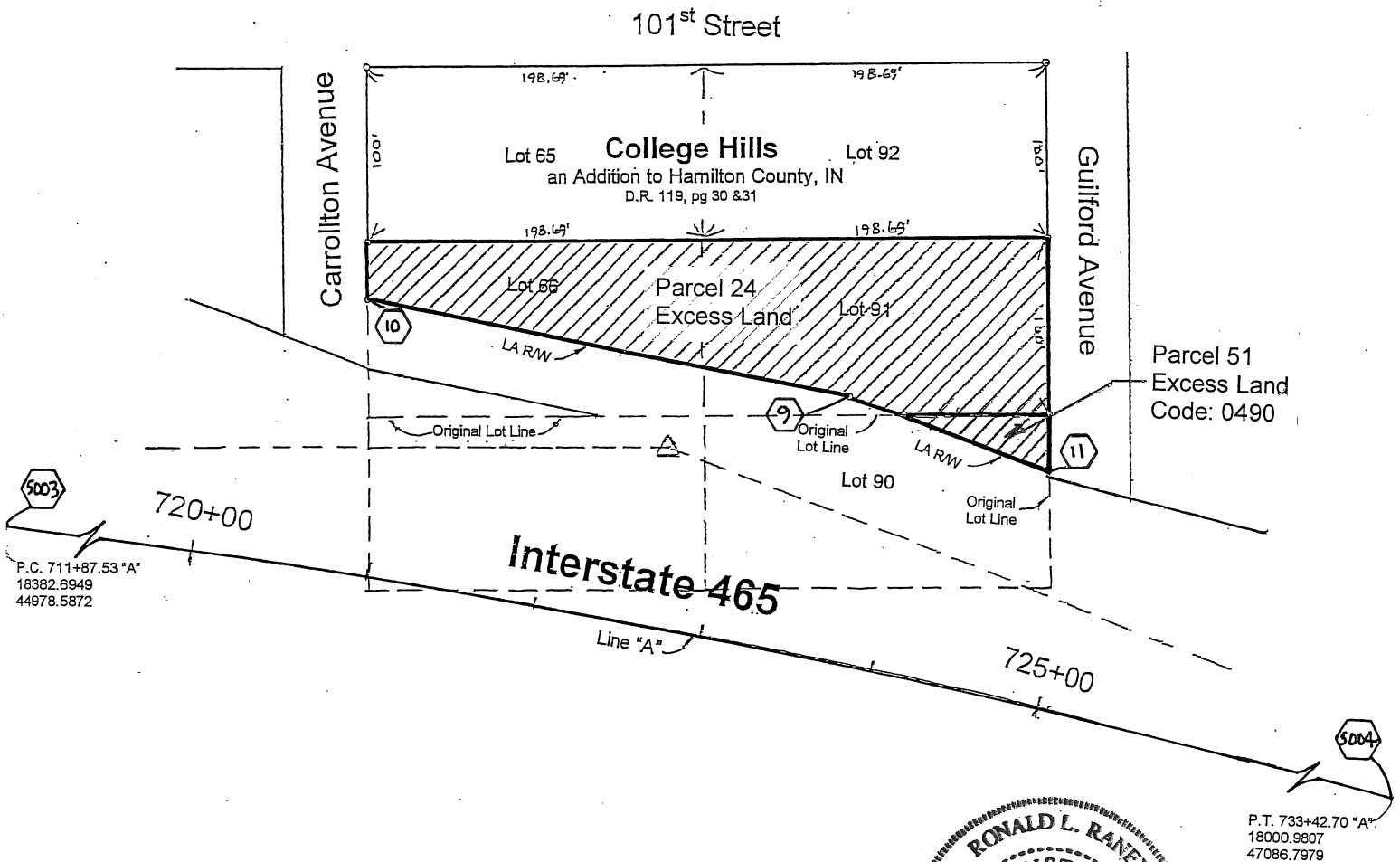
Hatched Area is the  
Excess Land

This plat was prepared from information obtained from the Recorder's Office  
and other sources which were not necessarily checked by a field survey.

Parcel Coordinate Chart

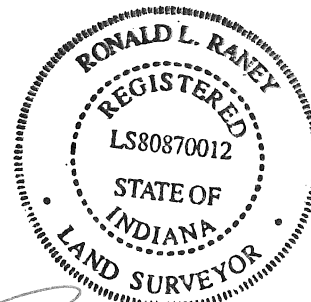
Point #	North	East	Station	Offset	CL
9	18421.0323	46171.0800	723+58.00	150.00' LT	A
10	18475.7028	45889.8255	720+78.97	156.00' LT	A
11	18381.2826	46288.0669	724+77.67	135.00' LT	A
503 & 504	See Location Control Route Survey Plat				

Station and offsets are to control over North and East coordinates and bearing and distances.



### SURVEYOR'S STATEMENT

To the best of my knowledge and belief, this plat, together with the Location Control Route Survey Plat recorded as Instrument # 2012062608, in the Office of the Recorder of Hamilton County, Indiana, (incorporated and made a part hereof by reference) comprise a Route Survey executed in accordance with Indiana Administrative Code 865 IAC 1-12, ("Rule 12")



*Ronald L. Raney*  
Ronald L. Raney, LS80870012, Dated 1-8-13

## EXHIBIT B

### QUITCLAIM DEED

THIS INDENTURE WITNESSETH, that the STATE OF INDIANA, acting through the Governor of the State of Indiana and the Commissioner of the Indiana Department of Administration, or their respective designees, and by the authority of Indiana Code 4-20.5-7-11, RELEASES and QUITCLAIMS to:

for good, valuable, and sufficient consideration, receipt of which is hereby acknowledged, the real property located in \_\_\_\_\_ County, Indiana and more fully described on Exhibit A, attached hereto and incorporated fully herein.

Subject to all existing legal rights-of-way, easements, conditions, and restrictions of record.

IN WITNESS WHEREOF, the undersigned have executed the foregoing Quitclaim Deed on behalf of the State of Indiana this \_\_\_\_\_ day of \_\_\_\_\_ 2011.

\_\_\_\_\_  
**David L. Pippen, Designee for  
Mitchell E. Daniels, Jr. Governor**

State of Indiana    )

County of Marion    )

ss:

Before me, a Notary in and for said County and State, personally appeared David L. Pippen, designee of the Governor of Indiana pursuant to IC 4-20.5-7-17 (b), and acknowledged execution of the foregoing Quitclaim Deed this \_\_\_\_\_ day of \_\_\_\_\_ 2011.

Notary signature: \_\_\_\_\_

Notary name printed: \_\_\_\_\_

My commission expires: \_\_\_\_\_ I reside in \_\_\_\_\_ County

[illegible]

My commission expires: \_\_\_\_\_ I reside in \_\_\_\_\_ County

**Filed in Indiana State Land Office:**

This instrument prepared by Tim A. Grogg Esq. (Attorney No. 7316-03), Legal Counsel, Indiana Department of Administration, 402 West Washington Street, W 479, Indianapolis, IN 46204. I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law.

# EXHIBIT C

## CATEGORICAL EXCLUSION LEVEL 1 FORM

Date: December 17, 2013

☒ Initial Version

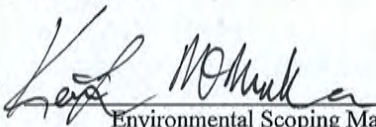
☐ Additional Information to CE Level 1 Dated: \_\_\_\_\_

### Purpose of this document:

☐ CE Level 1 documentation for exempted projects

☒ State-funded categorical exemption documentation

Approval CE Level 1 or State-Funded CE:

  
Environmental Scoping Manager or  
Environmental Policy Manager

17 Dec 13  
Date

### PROJECT INFORMATION

County, Route	Hamilton County, I-465	Des Number	LA Codes 5084 & 0490
Purpose and Need:	The Indiana Department of Transportation (INDOT) and Indiana Department of Administration (IDOA) recognize that state-owned excess right of way exists at various locations throughout the state. This land provides no function to the state highway system in terms of serviceability or maintenance, and prohibits development of the property for productive use for residential, commercial, agricultural, or other private or public uses. Additionally, state-ownership of land may reduce the availability of real estate that is subject to property taxation, revenue which could benefit the community as a whole. Selling such excess parcels of land would benefit the above cause, as well as providing the potential for additional revenue to the state from the proceeds of the sale.		
Project Description:	<p>INDOT proposes to dispose of three (3) excess land parcels in Hamilton County. The subject parcels are referenced as Land Acquisition (LA) Codes 5084 and 0490, Parcels 24, 24A, and 51. The parcels are approximately 0.69 acre in size and are located on the north side of Indianapolis, immediately north of I-465, between Guilford Avenue and Carrollton Avenue. The parcels are bordered by residential land to the west, north, and east, and I-465 to the south. Parcel information can be found in Appendix D (pages 1 through 21).</p> <p>This State CE is being prepared because parcels 24, 24A and 51 were purchased at least in part with federal funding, thus selling the property would constitute federal involvement and require National Environmental Policy Act (NEPA) documentation. Maps of the parcel location are included in Appendix A (pages 1 through 3). This action has been approved by INDOT's Environmental Services Division as a State CE-1.</p> <p>This action will not involve excavation, construction, or demolition activities of any kind. Therefore, no impacts to the parcel in question or the adjacent properties will be incurred as the result of this action.</p>		
Other Alternatives Considered:	N/A		
Project Termini:	The parcels are located are on the north side of Indianapolis, immediately north of I-465, between Guilford Avenue and Carrollton Avenue.		
Funding Source(s):	<input type="checkbox"/> Federal	<input type="checkbox"/> State	<input type="checkbox"/> Local <input type="checkbox"/> Other
Estimated Cost	N/A		
Project Sponsor:	INDOT/IDOA		Project Length
		N/A	

Name and organization of CE Level 1 Preparer: Eric Swickard, Bernardin, Lochmueller and Associates, Inc.

INDOT ES/District Env.  
Reviewer Signature:

Date: 12-17-13



SCOPE OF THE PROPOSED ACTION			
<b>Public Involvement*</b>		No: <b>X</b>	Yes:
Comments:	No public hearing is required for a project of this type under INDOT's FHWA-approved public involvement guidelines. This does not preclude one or more public hearings or public information meetings in the future.		
<b>Right-of-way (permanent and temporary, in acres)</b>		No: <b>X</b>	Yes:
Comments:	This action does not involve the acquisition of any new permanent or temporary right-of-way or ground disturbing activities. The entire parcel lies within the existing right-of-way.		
<b>Disruption to public facilities/services (such as schools, emergency service)</b>		No: <b>X</b>	Yes:
Comments:	This action will not result in a disruption to public facilities/services.		
<b>Involvement with existing bridge(s) Include structure number(s)</b>		No: <b>X</b>	Yes:
Comments:	This action has no involvement with an existing bridge(s) or small structure(s).		

\* Limited public involvement, CE-1 level projects will typically have no public hearing opportunity offered.

INVOLVEMENT WITH RESOURCES			
<b>Streams, Rivers, and Watercourses Impacted (linear feet)</b>		No: <b>X</b>	Yes:
Comments:	A review of the U.S. Geological Survey (USGS) topographic map and Red Flag Investigation – Water Resources map (see Appendix C, pages 5 and 7) revealed that there are no streams, rivers, or watercourses located in or near the subject parcels. Disposal of the property would not involve construction, excavation, or demolition activities of any kind, thus there would be no impacts to streams, rivers and watercourses.		
<b>Wetlands (acres)</b>		No: <b>X</b>	Yes:
Comments:	A review of the National Wetlands Inventory (NWI) data (see Appendix C, page 7) revealed that there are no wetlands mapped within the parcels. A review of the 2011 aerial photography did not show evidence of wetlands on the parcels (see Appendix A, page 2). Disposal of the property would not involve construction, excavation, or demolition activities of any kind, thus there would be no impacts to wetlands.		
<b>Disturbance of Terrestrial Habitat (acres)</b>		No: <b>X</b>	Yes:
Comments:	Land use near the project is residential (see Appendix A, page 2). The sale of the parcels will not impact this terrestrial habitat. Disposal of the property would not involve construction, excavation, or demolition activities of any kind, thus there would be no impacts to this terrestrial habitat.		
<b>Karst Features</b>		No: <b>X</b>	Yes:
Comments:	The project is located outside of the designated karst area of the state as identified in the October 13, 1993 Memorandum of Understanding (MOU). No karst features were observed or are known to exist within or adjacent to the proposed project area. The sale of the subject parcel is not anticipated to impact any karst features.		

INVOLVEMENT WITH RESOURCES			
<b>Threatened and Endangered Species</b>		No: <b>X</b>	Yes:
Comments:	A review of the Indiana Natural Heritage Database showed no threatened or endangered species within ½ mile radius of the subject parcels. The sale of the subject parcels is not expected to impact threatened or endangered species or natural communities.		
<b>Drinking Water Resources</b>		No: <b>X</b>	Yes:
Comments:	<p>The project is not located within the St. Joseph Aquifer System, the only legally designated sole source aquifer in Indiana.</p> <p>The Indiana Department of Environmental Management's (IDEM) Wellhead Proximity Determinator website (<a href="http://idemmaps.idem.in.gov/whpa/">http://idemmaps.idem.in.gov/whpa/</a>) was accessed on November 22, 2013 by Bernardin, Lochmueller and Associates, Inc. (BLA). The project is located within a wellhead protection area; however, the sale of these parcels is not anticipated to affect this wellhead protection area.</p> <p>The Indiana Department of Natural Resources (IDNR's) Water Well Database (<a href="http://www.in.gov/dnr/water/3595.htm">http://www.in.gov/dnr/water/3595.htm</a>) was also accessed. One (1) water well was mapped on the parcel. Should the need arise to close this well, the buyer would need to follow all applicable state regulations/policies as part of the closure process. See Appendix A, page 3 for the IDNR Water Wells Records Map.</p>		
<b>Flood Plains (note transverse or longitudinal impact)</b>		No: <b>X</b>	Yes:
Comments:	<p>According to IDEM's ArcGIS DFIRM data, the parcels are not located within a floodplain. See Appendix C, page 7 for the Red Flag Investigation - Water Resources Map.</p> <p>The Federal Emergency Management Agency (FEMA) Map Service Center was also accessed (<a href="https://msc.fema.gov/webapp/wcs/stores/servlet/FemaWelcomeView?storeId=10001&amp;catalogId=10001&amp;langId=-1">https://msc.fema.gov/webapp/wcs/stores/servlet/FemaWelcomeView?storeId=10001&amp;catalogId=10001&amp;langId=-1</a>). The parcel is located in an area where "panel not printed – no special flood area". A map was not available on the FEMA website.</p> <p>Based on the DFIRM data, The project does not encroach upon the HUD Special Flood Hazard Area. The project is not located in a regulatory floodplain.</p>		
<b>Farmland (acres)</b>		No: <b>X</b>	Yes:
Comments:	None of the land within the parcel limits meets the definition of farmland under the Farmland Protection Policy Act (FPPA). The sale of the subject parcel is not anticipated to impact any agricultural resources within proximity to the parcel.		
<b>Cultural Resources</b>		No: <b>X</b>	Yes:
Comments:	With regard to above-ground resources, a historian with Bernardin, Lochmueller and Associates, Inc. (BLA) who meets the Secretary of the Interior's Professional Qualification Standards per 36 CFR Part 61, reviewed the State Historic Architectural and Archaeological Research Database (SHAARD) and SHAARD GIS. No resources listed in the <i>National Register of Historic Places</i> (NRHP) or in the <i>Indiana Register of Historic Sites and Structures</i> (State Register) are located in or adjacent to these parcels. The <i>Hamilton Interim Report</i> of the "Indiana Historic Sites and Structure Inventory" (1992) shows no adjacent resources and none within the three parcels. The nearest surveyed property is the "Contributing" Hamer-Combs House (IHSSI# 057-098-55041) located approximately 0.7 mile north of the excess parcels. Generally properties rated "contributing" do not possess the level of historical integrity or significance necessary to		

**INVOLVEMENT WITH RESOURCES**

	<p>be considered eligible for the NRHP. Please see Appendix B (pages 16 through 19) for the interim report pages and the SHAARD map. BLA does not believe the sale of the three parcels is an activity that has the potential to cause effects on any above-ground resources eligible for or list in the NRHP.</p> <p>Furthermore, these parcels were covered in the original Area of Potential Effects (APE) for the Indianapolis Northeast Corridor Project (Des. No. 0101021). In the June 9, 2003 finding of "no adverse effect" for that project, several NRHP eligible properties were found to be within the APE, but none of those properties are located near these parcels. The SHPO agreed with the finding in a letter dated December 20, 2005. The FHWA APE, eligibility and effect findings, APE map, and SHPO response letter related to Des. No. 0101021 can be found in Appendix B (pages 1 through 8).</p> <p>Regarding archaeological resources, INDOT's Cultural Resources Section prepared an Archeological Records Check and Phase 1a Field Reconnaissance Report for the I-465 Added Travel Lanes, 0.35 miles E of the US 31 Interchange to 0.5 miles West of the Allisonville Road Interchange project. The parcels identified in this CE were cleared as part of that archaeological survey. No archeological sites were identified during the field reconnaissance. The Indiana Department of Natural Resources (IDNR) Division of Historic Preservation and Archaeology (DHPA) concurred with this assessment in a letter dated April 8, 2009. See Appendix B for the relevant pages from the archaeological survey (pages 9 through 14) and the IDNR DHPA letter (page 15).</p>			
<b>Section 4(f) and Section 6(f) Resources</b>		No: <input checked="" type="checkbox"/>	Yes: <input type="checkbox"/>	Possible: <input type="checkbox"/>
Comments:	Since this parcel was not used for a wildlife or waterfowl refuge, a public recreational facility or had nothing of historic, architectural or archaeological significance, there will be no Section 4(f) or Section 6(f) impacts associated with the disposition of the property.			
<b>Air Quality Impacts</b>		No: <input checked="" type="checkbox"/>	Yes: <input type="checkbox"/>	Possible: <input type="checkbox"/>
Comments:	This project is located in Hamilton County, which has been designated as a maintenance area for 8 hour ozone and PM2.5. This project has been identified as being exempt from air quality analysis in accordance with 40 CFR Part 93.126 and this project is not a project of air quality concern (40 CRF Part 93.123). The sale of this parcel will not affect air quality within the Indianapolis Metropolitan Planning Organization (MPO).			
<b>Community/Economic Impacts</b>		No: <input checked="" type="checkbox"/>	Yes: <input type="checkbox"/>	Possible: <input type="checkbox"/>
Comments:	The project will not result in the relocation of residences or businesses. The project will not affect community cohesion because it will not change access to properties or within the community. The project will not have a disproportionate adverse impact on low-income populations or minority populations that are of concern for environmental justice consideration.			
<b>Hazardous Materials</b>		No: <input checked="" type="checkbox"/>	Yes: <input type="checkbox"/>	Possible: <input type="checkbox"/>
Comments:	A red flag investigation was completed on October 1, 2013 by INDOT Environmental Services (ES). No potentially hazardous sites were identified in or adjacent to the parcels. Disposal of the property would not involve construction, excavation, or demolition activities of any kind, thus there would be no impacts to hazardous materials sites.			
<b>Permits</b>		No: <input checked="" type="checkbox"/>	Yes: <input type="checkbox"/>	Possible: <input type="checkbox"/>
Comments:	The process of selling these parcels does not lead directly to any action that will disturb aquatic or terrestrial resources, and no environmental permits are needed to advance the sale of this property.			

**ENVIRONMENTAL COMMITMENTS:**

1. Statement of Disclosure: According to IDNR's Water Well Database, one (1) water well is mapped on the parcel. Should the need arise to close this well, the buyer would need to follow all applicable state regulations/policies as part of the closure process.

**THE CATEGORICAL EXCLUSION CANNOT BE PROCESSED AS A LEVEL ONE IF YES IS SELECTED  
FOR ANY OF THE FOLLOWING ITEMS\*:**

Formal noise analysis required?	No: <b>X</b>	Yes:
Environmental Justice analysis required?	No: <b>X</b>	Yes:
Right-of-Way acquisition greater than 0.5 acre?	No: <b>X</b>	Yes:
Relocation of residences/businesses/etc.?	No: <b>X</b>	Yes:
Added through-traffic lanes?	No: <b>X</b>	Yes:
Facility on new location or realignment?	No: <b>X</b>	Yes:
Permanent alteration of local traffic pattern?	No: <b>X</b>	Yes:
Section 4(f) and Section 6(f) resource impacts?	No: <b>X</b>	Yes:
Sole Source Aquifer Groundwater Assessment required?	No: <b>X</b>	Yes:
Is the project "Likely to Adversely Affect" Threatened and Endangered Species?	No: <b>X</b>	Yes:
Stream impacts greater than 300 linear feet, or work beyond 75 feet from pavement?	No: <b>X</b>	Yes:
Wetland impacts greater than 0.1 acre?	No: <b>X</b>	Yes:
Does the project have historic bridge involvement, or a Section 106 finding of No Adverse Effect / Adverse Effect?	No: <b>X</b>	Yes:

\* Please note, this table is not applicable for state funded CE's.

# Land Acquisition (LA) Code: 5084 & 0490, Parcels 24, 24A & 51

## Excess Land Disposal: I-465 in Hamilton County

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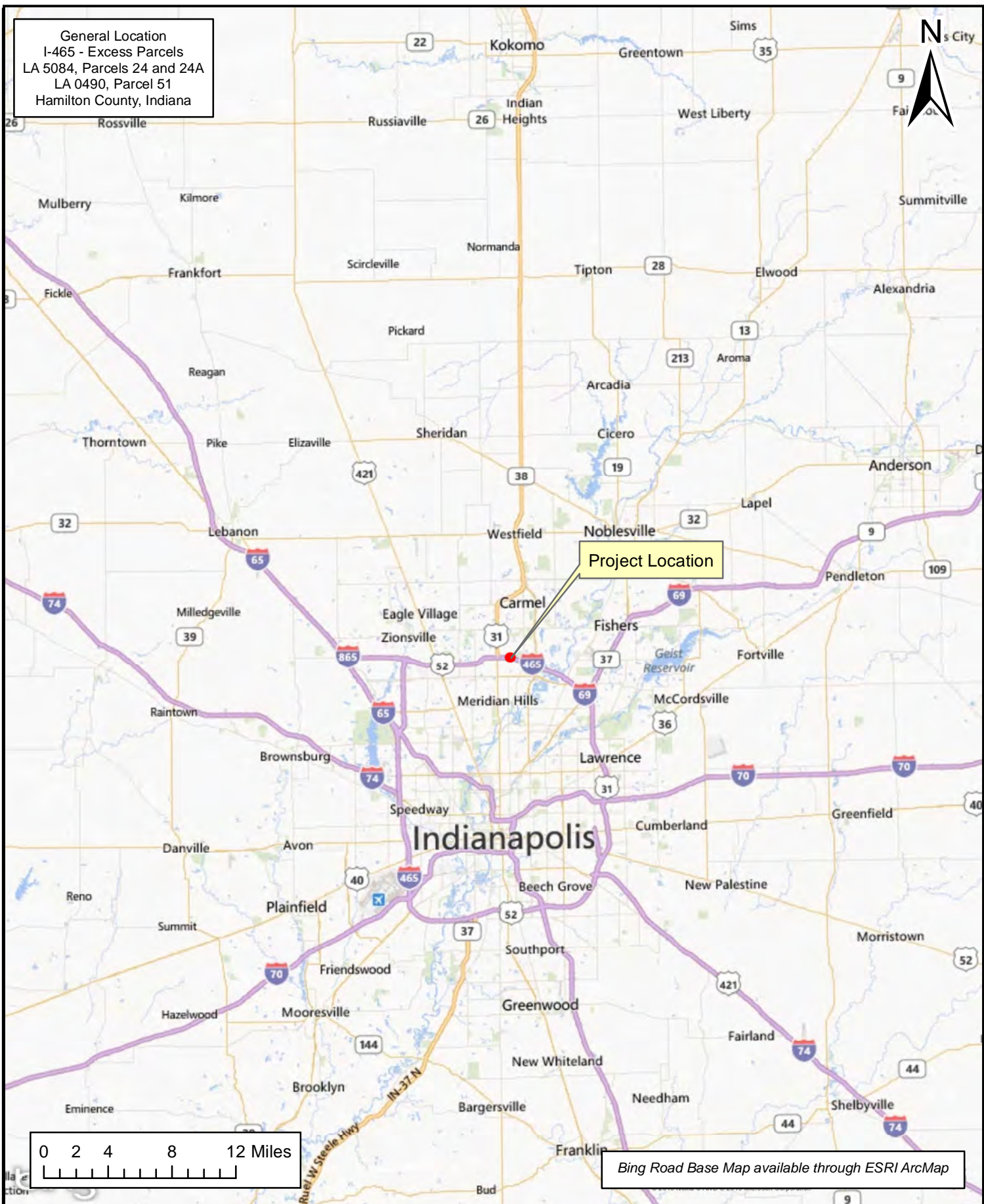
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# **Appendix A**

## **Maps**

General Location  
 I-465 - Excess Parcels  
 LA 5084, Parcels 24 and 24A  
 LA 0490, Parcel 51  
 Hamilton County, Indiana



Bing Road Base Map available through ESRI ArcMap



**BERNARDIN  
 LOCHMUELLER &  
 ASSOCIATES, INC.**

3502 Woodview Trace, Suite 150  
 Indianapolis, IN 46268  
 Phone: (317) 222-3880  
 Fax: (317) 222-3881

This map is intended to serve as an aid in graphic representation only. This information is not warranted for accuracy or other purposes.

Map Datum: NAD83  
 Map Projection: UTM Zone 16 North

Date: 11/21/2013



Project Area on Aerial Photograph  
I-465 - Excess Parcels  
LA 5084, Parcels 24 and 24A  
LA 0490, Parcel 51  
Hamilton County, Indiana



Carrollton

Guilford

101st

Parcels 24 and 24A

Parcel 51

I-465

College

Carrollton

Guilford



Project Area

0 100 200 400 Feet

Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community



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LOCHMUELLER &  
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Year 2011 Aerial Photography

Map Datum: NAD83

Map Projection: UTM Zone 16 North

Date: 11/21/2013



# Water Wells Records Map

Indiana Dept. of Natural Resources



Copyright 2012 Indiana Dept. of Natural Resources. Thu Dec 12 2013 09:48:49 AM.  
[http://dnrmaps.dnr.in.gov/apps/dnrwaterwells\\_enh/](http://dnrmaps.dnr.in.gov/apps/dnrwaterwells_enh/)

**Mapped Water Wells**  
I-465 - Excess Parcels  
LA 5084, Parcels 24 and 24A  
LA 0490, Parcel 51  
Hamilton County, Indiana

# **Appendix B**

## **Cultural Resources**

FEDERAL HIGHWAY ADMINISTRATION'S  
SECTION 106 FINDINGS AND DETERMINATIONS  
AREA OF POTENTIAL EFFECT  
Indianapolis, IN – Northeast Corridor Transportation Improvements  
DES. NO.: 0101021

**AREA OF POTENTIAL EFFECT**  
(Pursuant to 36 CFR Section 800.4(a)(1))

The Northeast Corridor project area extends from the Indianapolis Central Business District (CBD), east to I-465 along I-70, north beyond Noblesville, to just west of US 31. The project covers area in two counties and seven townships. The following townships of Marion County are within the area of potential effect of the project: Center, Warren, Lawrence, and Washington Townships. The following townships of Hamilton County are within the area of potential effect of the project: Delaware, Fall Creek, and Noblesville Townships. Below is a description of the project areas and the area of potential effect for each interstate and highway included in the Northeast Corridor. Maps of the area are also included which provide graphic indications of the APE.

The Area of Potential Effect (APE) was determined by a visual survey of the immediate surroundings of the interstates and highway. Any areas where buildings, vegetation, or topography adjacent to the roadbed blocked views and potentially deflect noise generated by the increased traffic were given an APE of 500 feet from the centerline of the existing roadway and 500 feet from the right-of-way at all interchanges. Areas where buildings, vegetation, or topography adjacent to the roadbed do not block views and noise generated by the increased traffic were given an APE of 1,000 feet from the centerline of the existing roadway and 1,000 feet from the right-of-way at all interchanges.

The State Historic Preservation Office staff has reviewed the maps and concurs that the attached maps are the APE.

**I-70 Corridor (Attached maps 11 & 12)**

The survey area for I-70 is between the interchanges of I-65 and I-465 and is located in Marion County within Center and Warren Townships. This 5.5 mile stretch runs through portions of sections 25, 26, 27, 28, 29, 30, and 31 of Township 16 North, Range 4 East.

The APE for the I-70 corridor varies from the west end to the east end of the corridor. The west end of the I-70 APE, from Lewis Street to Sherman Street on both sides, and along the south side of the interstate from Sherman Street to I-465 is set at 500 feet due to the high density of buildings and vegetation; and the topography of the roadway. Along the north side of I-70 from Sherman Street to I-465, the APE was extended to 1,000 feet due to the sparse vegetation and undeveloped land in the area.

**I-465 Corridor (Attached maps 5, 13, 14, 15, & 16)**

The survey area for I-465 is between the interchange for US 421 and the east interchange for I-70 and is located in Hamilton County within Clay Township and in Marion County within Pike, Washington, Lawrence, and Warren Townships. This 16.75 mile stretch runs through portion of sections 10, 11, 12, and 13 of Township 17 North, Range 3 East; sections 16, 17, 18, 21, 22, 26, 27, and 35 of Township 17 North, Range 4 East; and sections 2, 11, 12, 13, 24, and 25 of Township 16 North, Range 4 East.

The APE for the I-465 corridor varies according to the density of vegetation and the level of development of the adjacent properties. The south end of I-465 from the I-70 interchange up to the I-69 interchange has an APE of 500 feet. North of the I-465 and I-69 interchange the APE to the west is maintained at 500 feet up to the Allisonville Road interchange where the APE widens to 1,000 feet. The APE to the east is extended to 1,000 north of the I-69 interchange due to the openness of the business developments in the area. The 1,000 foot APE is maintained on both sides of the interstate between Allisonville Road and Haverstick Road, just east of Keystone Avenue. Past Haverstick Road to the end of the project corridor the APE is reduced back to 500 feet due to the dense business development in the area.



**Indianapolis, IN – Northeast Corridor Transportation Improvements**  
**DES. NO.: 0101021**

**I-69 Corridor (Attached maps 5, 6, 7, 17, & 18)**

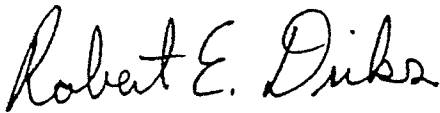
The survey area for I-69 is between the interchanges of SR 238 and I-465 and is located in Hamilton County within Delaware and Fall Creek Townships and Marion County within Lawrence Township. This 5 mile stretch runs through portion of sections 1, 12, 13, 14, 22, 23, and 27 of Township 17 North, Range 4 East, section 6 of Township 17 North, Range 5 East; and sections 23, 26, 27, 28, 31, 32, and 33 of Township 18 North, Range 5 East.

The APE for the I-69 corridor varies between 1,000 and 500 feet depending on the immediate density of the surroundings. From the I-465 interchange to 82<sup>th</sup> Street the APE is set at 1,000 feet due to the openness of the land. Between the 82<sup>th</sup> Street and 96<sup>th</sup> Street interchanges there is a dense band of structures that block views and noise so the APE was reduced to 500 feet. Beyond 96<sup>th</sup> Street the adjacent properties are primarily open land on both sides of the I-69 corridor so the APE was extended to 1,000 feet.

**SR 37 Corridor (Attached maps 7, 8, 9, & 10)**

The survey area for SR 37 is between the interchanges of Allisonville Road and I-69 and is located in Hamilton County within Delaware and Noblesville Townships. This 7.25 mile stretch runs through portions of sections 6, 7, 18, 19, 30, and 31 of Township 18 North, Range 5 East; and sections 29 and 32 of Township 19 North, Range 5 East.

The APE for the SR 37 corridor from the I-69 interchange to Allisonville Road is held to 1,000 feet due to the flat topography and undeveloped land in the area.



---

John R. Baxter, P.E.  
Division Administrator

February 7, 2003

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Approved Date

**FEDERAL HIGHWAY ADMINISTRATION'S  
SECTION 106 ELIGIBILITY DETERMINATIONS AND DETERMINATION OF EFFECT  
Indianapolis, IN – Northeast Corridor Transportation Improvements  
DES. NO.: 0101021**

**ELIGIBILITY DETERMINATIONS**  
**(Pursuant to 36 CFR 800.4(c)(2))**

*[Insert a brief description of each property within the APE that is recommended to be eligible for the National Register of Historic Places. Each property listed should include the National Park Service criterion, or criteria, that render the property eligible for the Register. For properties already listed in the Register, include a brief property description and note the date it was listed in the Register.]*

SHPO has concurred with these Determinations of Eligibility.

Refer to Documentation for findings of No Adverse Effect for photographs of these historic resources.

**I-70 Corridor (APE maps 11 & 12)**  
**097-296-01212 John Hope School Number 26**

1301 East 16th Street, north of the I-70 corridor and east of Columbia Street  
School                      IHSSI #097-296-01212                      Notable

Eligible for Criterion A in the area of Educational Properties  
Eligible for Criterion C in the area of Architecture

John Hope School remains a key component of the downtown urban fabric and represents the urban presence of Indianapolis Public Schools. The original L-shaped school was designed in 1921 by Elmer E. Dunlap, Co and is of the Neoclassical style. Additions were added to each end of the L in 1938 by Robert Frost Daggett in a simplified, modern style which extends the horizontal limestone features of the original structure. The majority of the significant brick and limestone masonry detail and form of the building remain. All doors and windows have been replaced in the existing openings.

The site is primarily intact along the northern and western facades of the structure. The yard within the L has been paved and extends nearly to the highway right-of-way with a sliver of adjacent property between the school parking lot and the interstate. The front doors of the school face northwest, away from the interstate. The interstate, running east-west, south of the building is elevated on earthwork (rising as it progresses westward) as it leads into the bridges on the I-70/I-65 downtown interchange.

John Hope School meets the registration criteria established in the "Public School Buildings in Indianapolis Built Before 1940 Multiple Property Listing."

**I-70 Corridor (APE maps 11 & 12)**  
**097-295-00875 St. Francis de Sales Catholic Church/ Martin University Performing Arts Center**

2195 Avondale Place, north of the I-70 corridor and east of Massachusetts Avenue  
Church/ School                      IHSSI # 097-295-00875                      Outstanding

Eligible for Criterion C in the area of Architecture

This 1913 Renaissance Revival structure first served as a Catholic parish church. The structure now serves as the performing arts facility for Martin University as a key piece of the campus. To the north and west are residential neighborhoods, to the south is the former mid-century parish

FEDERAL HIGHWAY ADMINISTRATION'S  
SECTION 106 ELIGIBILITY DETERMINATIONS AND DETERMINATION OF EFFECT  
Indianapolis, IN – Northeast Corridor Transportation Improvements  
DES. NO.: 0101021

elementary school and to the east is the new Martin University Education Center. The structure is significantly intact on the exterior, including the stained glass windows, historic brick and limestone masonry and ornamental copper tower roofs. A small, non-historic addition has been added behind the apse at the east end of the buildings and now serves as office space for the university. The structure is fully visible from the quad of the campus.

The structure is located a little more than a block north of I-70, with the elementary school between the interstate and the building. The interstate is depressed along the southern edge of the campus and slowly rises out of the depression to the west of the campus and the St. Frances de Sales structure.

**SR 37 Corridor (APE maps 7, 8, 9, & 10)**

**151 Cumberland Road Bridge over Stoney Creek**

Located on Cumberland Road, just east of the SR 37 corridor & south of 166<sup>th</sup> Street  
Concrete Bridge *Artistry and Ingenuity in Artificial Stone* Hamilton #151 NRC (National Register Contender)

Eligible for Criterion C in the area of Engineering

This cast-in-place concrete bridge is decorated to appear as cut-stone and remains in use. The bridge was constructed in c1916 and remains in use to this day. The wing walls are cut stone to match the patterning of the bridge. Span is a significant span at 23' and a total bridge span of 73'. This bridge is one of seven remaining national register-eligible bridges still extant in Hamilton County.

**I-465 Corridor (APE maps 5, 14, 15 & 16 )**

**Woolens Garden**

Fall Creek Parkway and I-465  
Parks and Parkway *Pending National Register Nomination by the US National Park Service*  
Eligible for Criterion A in the area of broad patterns of national, regional and local history in response to the urban conditions of the early 20<sup>th</sup> C

Woolens Garden is included in the pending National Register nomination for the Indianapolis Parks and Boulevard System. Woolens Garden was independent of the parks and boulevard system but it was incorporated into the park system in 1909 as an eastern terminus at Fall Creek.

The park is bounded by Fall Creek Drive on the north, I-465 on the south, Fall Creek North Drive on the west and residential apartments to the south. Fall Creek runs through the middle of the park before it passes eastward under I-465. The southern two thirds of the park are wooded with trails connecting to the current trail system of Indianapolis. The northern third is in the process of being replanted with various species and a wetland research area.

**FEDERAL HIGHWAY ADMINISTRATION'S  
SECTION 106 ELIGIBILITY DETERMINATIONS AND DETERMINATION OF EFFECT  
Indianapolis, IN – Northeast Corridor Transportation Improvements  
DES. NO.: 0101021**

**EFFECT FINDING**

**Pursuant to 36 CFR 800.5(d)(1)**

**No adverse effect** has been found on the historic properties identified in these findings.

There are no reasonably foreseeable effects that could affect the property at a later time. SHPO has agreed with these findings of No Adverse Effect.

**I-70 Corridor (APE maps 11 & 12)**

There are two historic resources located within the APE along the I-70 corridor.

The Martin University Performing Arts Center is located a full block away from the existing interstate alignment with an educational facility (formerly an elementary school) located between the Center and the highway. At this location, the highway is depressed below the ground plane of both the school structure and the historic church building/performing arts center. No additional right-of-way will be acquired within this block. Therefore, the physical relationship between the structure and the highway will not be altered from the current relationship, and no additional affects from the highway will be put upon the structure. The estimated sound increase from the highway will be 1dB, which is not a noticeable increase. There is no effect on this historic property by this undertaking.

Indianapolis Public School's John Hope School Number #26 property and building are intersected by the limits of the Area of Potential Effect. The structure's site is located within two blocks of the west end of this undertaking, where the interstate is raised out of the ground to enter the intersection with I-65. There is a parcel of vacant land between the original school property and the elevated highway ramp. Therefore, the physical relationship between the structure and the highway will not be altered from the current relationship and no additional affects from the highway will be put upon the structure. The estimated sound increase from the highway will be 1dB at the building, which is not a noticeable increase. Estimates of the current existing sound levels are 73dB at the nearest wall of the building and 77 dB at the nearest soccer field. There may be a visual effect due to the changes along I-70 corridor but this effect will not adversely effect the significance of this structure or its setting.

**I-465 Corridor (APE maps 5, 13, 14, 15, & 16)**

No change in the present right-of-way or physical alteration will occur along the boundaries of the Woollens Garden Park located at Fall Creek Road and I-465. The park's relationship to I-465 varies vertically due to natural topography of the site and the elevated nature of the road. Since no change will occur in the right-of-way, there will be no physical alterations to the park. The estimated sound increase will vary within the park depending upon the geography but the increase will average 3dB, likely a 2dB to 4dB range, a slightly noticeable increase. An increase of 5dB would be expected to be noticeable. Any changes in the I-465 corridor will be visible from much of the northern third of the park but these visual changes will not constitute an adverse effect on the significance of the park.

**I-69 Corridor (APE maps 5, 6, 7, 17, & 18)**

No historic resources were identified within the Area of Potential Effect along the I-69 corridor.

**SR 37 Corridor (APE maps 7, 8, 9, & 10)**

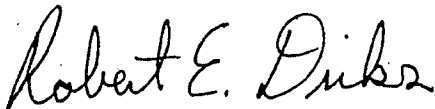
The Cumberland Road Bridge over Stoney Creek is adjacent to the modern SR 37 bridge currently in use at that location. The bridge will not be affected by the new right-of-way for Alternative H5. The bridge is located outside of the proposed new right-of-way. The physical relationship between the historic bridge and the modern bridge will not be altered. The modern

FEDERAL HIGHWAY ADMINISTRATION'S  
SECTION 106 ELIGIBILITY DETERMINATIONS AND FINDINGS OF EFFECT  
Indianapolis, IN – Northeast Corridor Transportation Improvements  
DES. NO.: 0101021

relationship between the historic bridge and the modern bridge will not be altered. The modern bridge currently serves as a parallel backdrop for the historic bridge with a slight buffer of vegetation. The modern road is clearly visible from the historic bridge today. The estimated sound increase on the bridge is estimated at 4 dB, a slightly noticeable increase. Any changes in the SR 37 corridor will be visible from the existing bridge but these visual changes will **not adversely effect** the significance of the significance of the bridge.

This section includes the findings of the archeological field survey for the preferred alternative (H5). Based on the review of previous field surveys in the study area and additional site surveys for this project, no historic archaeological resources have been identified within the Area of Potential Effect for the H5 Alternative.

Consulting parties will be provided a copy of these FHWA's findings in accordance with FHWA's Section 106 procedures.



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John R. Baxter, P.E.  
Division Administrator

June 9, 2003

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Approved Date







Indiana Department of Natural Resources

Division of Historic Preservation & Archaeology • 402 W. Washington Street, W274 • Indianapolis, IN 46204-2739  
Phone 317-232-1646 • Fax 317-232-0693 • dhpa@dnr.IN.gov

Mitchell E. Daniels, Jr., Governor  
Kyle J. Hupfer, Director



December 20, 2005

RECEIVED

DEC 21 2005

DIVISION OF  
ENV. PLANNING & ENGINEERING

Tim Miller  
HNTB  
111 Monument Circle, Suite 1200  
Indianapolis, Indiana 46204-5178

Federal Agency: Federal Highway Administration

Re: Archaeological reconnaissance report (Zoll 7/30/02) and notification of the FHWA's findings concerning interstate and highway improvements for the Northeast Corridor sections: "no adverse effect", for I-70 between CBD and I-465, "no adverse effect" for I-465 between US 31/Meridian St. and I-70, and "no historic properties affected" for I-69 between I-465 and SR 238, "no adverse effect" for SR 37 between I-69 and Allisonville Road (6/6/03).

Dear Mr. Miller:

This letter provides our office's comments on the Indiana Department of Transportation's ("INDOT's") Northeast Corridor project which was formally withdrawn from consideration in June of 2003. Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f) and 36 C.F.R. Part 800, the staff of the Indiana State Historic Preservation Officer ("Indiana SHPO") has conducted an analysis, at the request of INDOT, of the materials submitted between July 30, 2002 and March 3, 2004 for the above indicated project in Marion and Hamilton Counties, Indiana.

We concur with the recommendations of the archaeological reconnaissance (Zoll 7/30/02) and the Federal Highway Administration's June 6, 2003 finding that there are no significant archaeological resources within the area of potential effects that will be adversely affected by the above indicated project. Please note that these conclusions pertain to the H-5 Alternative of the Northeast Corridor Transportation Improvements (Des. No.:0101021) as defined in the Federal Highway Administration's Section 106 Eligibility Determinations and Determination of Effect submitted to our office in June of 2003. Any changes in the project's scope that have taken place during the intervening period must be submitted to the DHPA for review and comment.

As a reminder, Whitesell Cemetery will need to be avoided by all project activities and, if impacts are to occur within 100 feet of the cemetery, a development plan will need to be submitted to and approved by this office.

If any archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and 29) requires that the discovery must be reported to the Department of Natural Resources within two (2) business days. In the event that artifacts or features are discovered during the implementation of the Federally assisted project, activity, or program and a plan has not been developed, it is the Federal agency's responsibility to make reasonable efforts to avoid, minimize or mitigate adverse effects in accordance with 36 C.F.R., § 800.13.

If you have any questions, please call Dr. Rick Jones or Christopher R. Andres at our office at (317) 232-1646.

Very truly yours,

For Jon C. Smith  
Deputy State Historic Preservation Officer

JCS:CRA:JRJ:cra

cc: Robert F. Tally, Federal Highway Administration  
Ben Lawrence, Indiana Department of Transportation  
Curtis Tomak, Indiana Department of Transportation

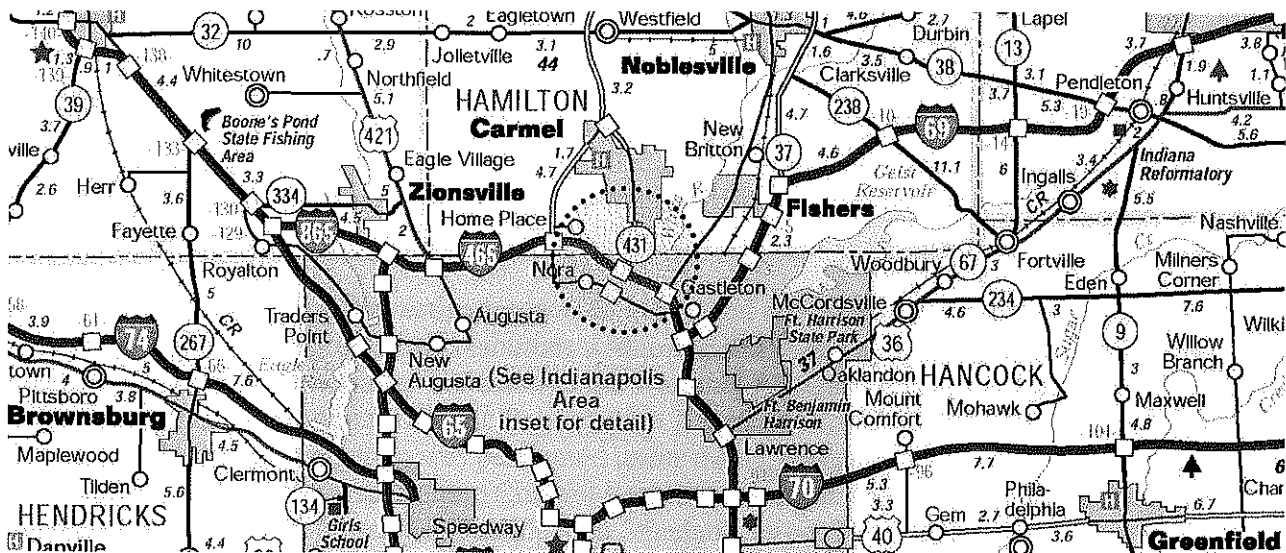
Survey included  
Excess Parcels  
5084-24 & 24A and  
0490-51

## An Archaeological Records Check and Phase Ia Field Reconnaissance Report:

Additional Information for Added Travel Lanes on Interstate 465, 0.35 mi East of  
the US 31 Interchange to 0.5 mi West of the Allisonville Rd Interchange  
Marion County and Hamilton County, Indiana (Des. No. 0400289)

Jeffrey Laswell  
Principal Investigator

Cultural Resources Section  
Office of Environmental Services  
Indiana Department of Transportation



Prepared for:  
Indiana Department of Transportation, Office of Environmental Services  
NEPA Policy Section  
100 North Senate Avenue, Room N642  
Indianapolis, Indiana 46206

March 10, 2009

Cultural Resources Section  
Office of Environmental Services  
Indiana Department of Transportation  
100 North Senate Avenue  
Indianapolis, Indiana 46204  
(317) 233-2093



## MANAGEMENT SUMMARY

In response to a request from the Indiana Department of Transportation, Office of Environmental Services, NEPA Policy Section (INDOT, OES), an archeological records check and Phase Ia field reconnaissance has been conducted for additional temporary and limited access right-of-way parcels along I 465 from 0.7 mi east of the US 31 interchange to the Keystone Avenue interchange in Marion County and Hamilton County, Indiana (Des. No. 0400289). The proposed twelve acquisitions consist of approximately 2.3 ha (5.7 ac) associated with the H5 Alternative of the Indianapolis Northeast Corridor Transportation Study.

While no formal documentation of archaeological investigation of the H5 Alternative section of I-465 was prepared, a letter dated November 18, 2002 addressed to Mr. Troy Thompson of the consulting firm HNTB (Mitch Zoll, personal communication letter 2002) recommended clearance of both H5 and H6 Alternate corridors based upon disturbances that occurred subsequent to the 1998 archaeological records check and windshield survey conducted by Smith et al. (1999) as well as the results of two investigations conducted along the H6 Alternate (Nagle and Smith 2002). Only the I-69 and SR 37 sections of the H6 Alternate were examined by archaeological survey due to the proposed expanded scope of this leg of the H6 Alternate compared to the smaller H5 corridors (Nagle and Smith 2002). The current investigations of the twelve temporary and limited access right-of-way areas extended beyond the original right-of-way presented within the original H5 construction plans and required additional archaeological investigation of these areas.

The purpose of this investigation was to locate and record all significant or potentially significant historic and prehistoric resources within the ROW areas. Site significance was determined using the criteria for inclusion to the National Register of Historic Places, in compliance with the National Historic Preservation Act of 1966, as amended and 36 CFR 60.4. The archaeological investigation was performed under the supervision of personnel from the Indiana Department of Transportation, Cultural Resources Section (INDOT, CRS) who meet the Secretary of Interior's Professional Qualification Standards as per 36 CFR Part 61.

The archaeological records check for this project was conducted by the author at the Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology (IDNR, DHPA) on February 2, 2009. Twenty-three archaeological field reconnaissance surveys have been conducted within a 1.6 km (1 mi) radius of the twelve right-of-way areas that included the Smith et al. 1999 preliminary study of the Northeast Transportation Corridor, which addressed approximately 70,800 ha (175,000 ac) throughout Marion and Hamilton Counties. In addition, thirty archeological sites have been identified within this same 1.6 km (1 mi) radius. Two previous archaeological reconnaissance surveys have been conducted around the Keystone/I-465 interchange (Beard 1985) and Westfield Boulevard (Stillwell 2005a), which may overlap one or more of the current survey areas, the exact dimensions of these investigations are unknown, resulting in the determination for further field examinations in both of these areas. No cemeteries are within 30 m (100 ft) of the proposed right-of-way areas.

Jeffrey L. Laswell of INDOT, CRS conducted a Phase Ia field reconnaissance within the boundaries of twelve right-of-way parcels (Des. No. 0400289) on March 4, 2009. Systematic

shovel testing and visual surface inspection was performed in order to locate cultural resources and confirm areas of physical disturbance. Much of the project area was found to have been disturbed by residential/commercial construction activities, utility lines, and roadway modification/construction. No archaeological sites were identified during the field reconnaissance. It is our opinion that the project be allowed to proceed as planned. In the unlikely event that archaeological deposits or human remains are encountered during the construction phase of the project, all work must cease and an archaeologist from IDNR, DHPA and INDOT, CRS must be notified.

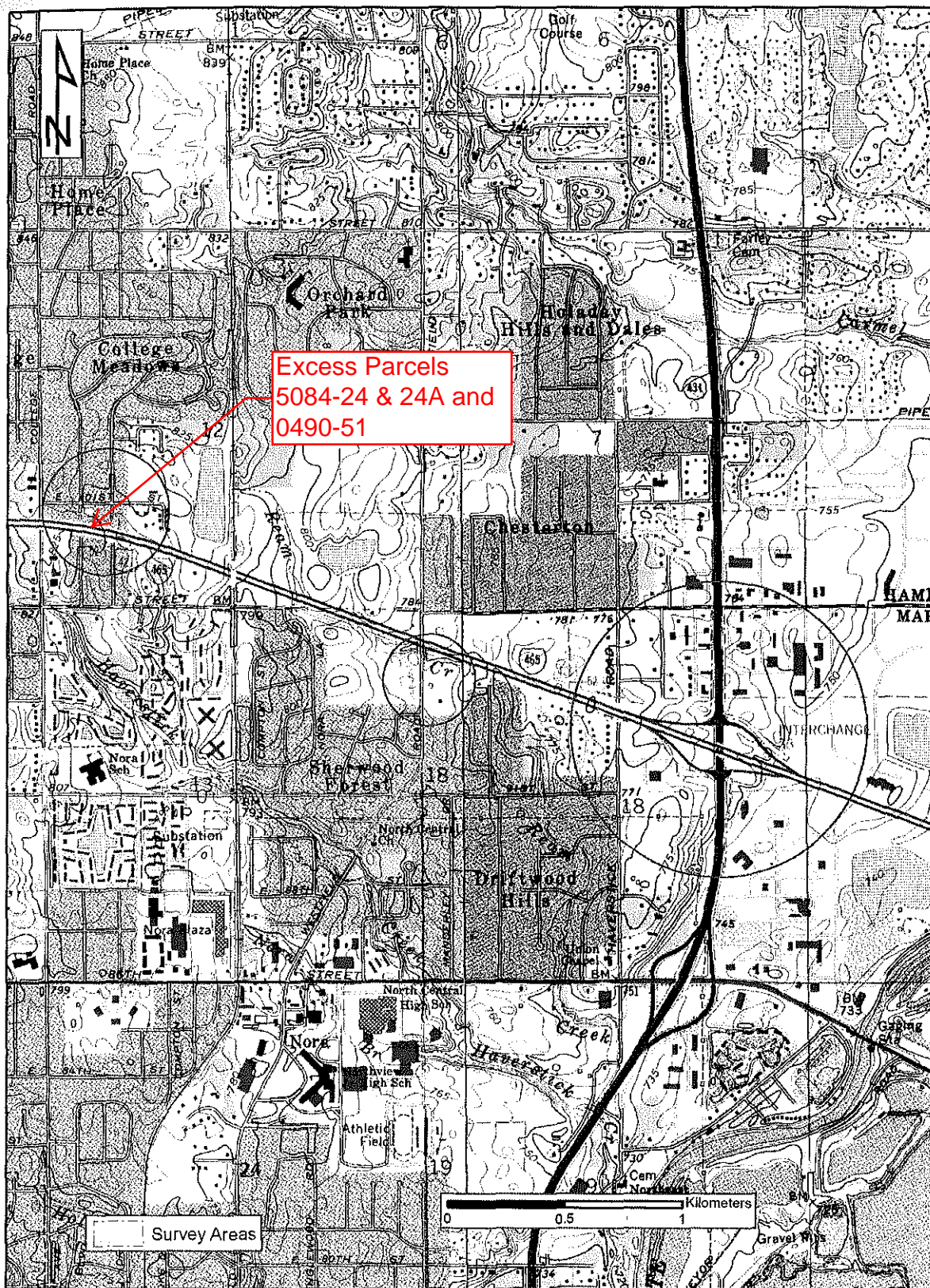


Figure 2. Portions of the USGS 7.5' series Carmel and Fishers, Indiana topographic quadrangles showing the locations of the temporary and limited access acquisition parcels



investigation were previously disturbed by residential/commercial construction activities that included utility and roadway disturbance. Both the terms survey area and parcel are used interchangeable for the various ROW areas. The results of the reconnaissance are described below.

Survey Areas 1 & 2  
include excess  
parcels

#### *Survey Area 1*

Survey area 1 consisted of a portion of a residential lawn around a small storage shed (Figures 4 and 10). The area offered 0 percent visibility and was subject to shovel testing. A heavier clay, gravely, mottled subsoil was encountered approximately 8cmbs. No archaeological deposits were recovered.

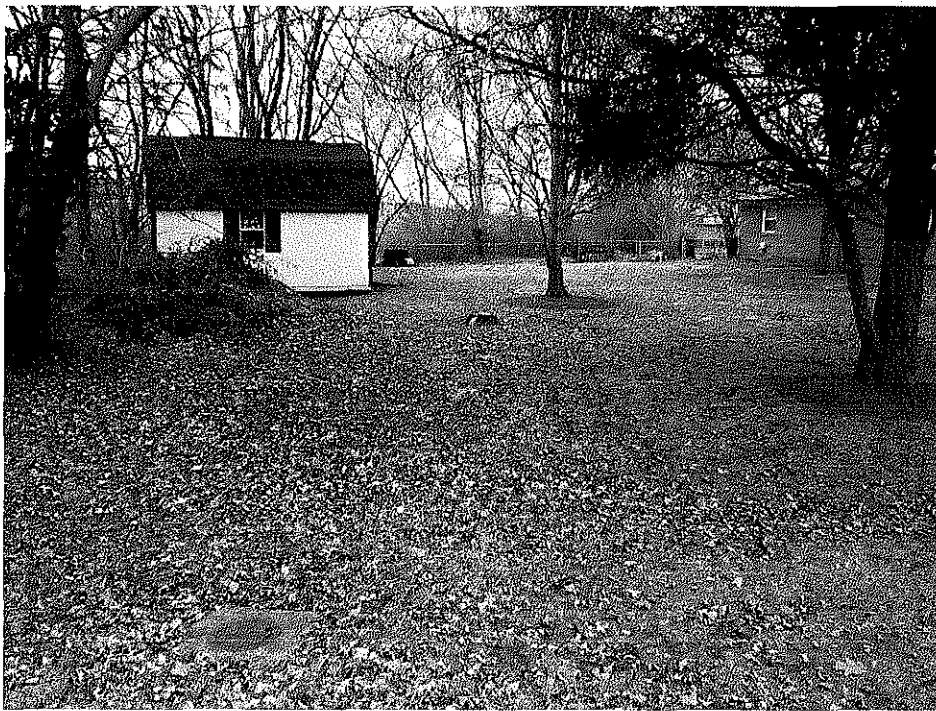


Figure 10. Photograph of survey area 1, facing west

#### *Survey Area 2*

Survey area 2 consisted of a portion of a residential lawn and an existing house that will be demolished upon acquisition (Figures 4 and 11). The area offered 0 percent visibility and was subject to shovel testing. A heavier clay, gravely, mottled subsoil was encountered approximately 10cmbs. The areas around the extant house displayed evidence of construction and landscaping disturbance associated with the structure. No archaeological deposits were recovered.



## SUMMARY AND CONCLUSIONS

In response to a request from INDOT, OES, NEPA Policy Section, an archeological records check and Phase Ia field reconnaissance has been conducted for additional temporary and limited access right-of-way parcels along I 465 from 0.7 mi east of the US 31 interchange to the Keystone Avenue interchange in Marion County and Hamilton County, Indiana (Des. No. 0400289). The proposed twelve acquisitions consist of approximately 2.3 ha (5.7 ac) associated with the H5 Alternative of the Indianapolis Northeast Corridor Transportation Study. The current investigations of the twelve temporary and limited access right-of-way areas extended beyond the original right-of-way presented on the original H5 construction plans and required additional archaeological investigation of these areas. Much of the project area was found to have been disturbed by residential/commercial construction activities, utility lines, and roadway modification/construction. No archaeological sites were identified during the field reconnaissance. It is our opinion that the project be allowed to proceed as planned. In the unlikely event that archaeological deposits or human remains are encountered during the construction phase of the project, all work must cease and an archaeologist from IDNR, DHPA and INDOT, CRS must be notified.





Indiana Department of Natural Resources

Division of Historic Preservation & Archaeology • 402 W. Washington Street, W274 • Indianapolis, IN 46204-2739  
Phone 317-232-1646 • Fax 317-232-0693 • dhpa@dnr.IN.gov

Mitchell E. Daniels, Jr., Governor  
Robert E. Carter, Jr., Director



April 8, 2009

Shaun A. Miller  
Cultural Resources Section  
Office of Environmental Services  
Indiana Department of Transportation  
100 North Senate Avenue, Room N642  
Indianapolis, Indiana 46204-2216

This letter clears  
excess parcels  
5084-24 & 24A and  
0490-51

Federal Agency: Federal Highway Administration

Re: Additional information and an archaeological literature review and phase Ia field reconnaissance report (Laswell, 3/10/09) for Added Travel Lanes on I-465, 0.35 miles east of the US 31 Interchange to 0.5 miles west of the Allisonville road interchange (Des. No. 0400289; DHPA #5847) (I-465 Northeast Corridor Transportation Improvements Project, Des. No. 0101021)

Dear Mr. Koepfel:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f), 36 C.F.R. Part 800, and the "Programmatic Agreement among the Federal Highway Administration, the Indiana Department of Transportation, the Advisory Council on Historic Preservation and the Indiana State Historic Preservation Officer regarding the implementation of the Federal Aid Highway Program in the State of Indiana," the staff of the Indiana State Historic Preservation Officer has conducted an analysis of the materials dated March 10, 2009 and received on March 12, 2009, for the above indicated project in Hamilton and Marion counties, Indiana.

Based upon the documentation available to the staff of the Indiana SHPO, we have not identified any archaeological resources listed in or eligible for inclusion in the National Register of Historic Places within the areas covered by the report.

If any archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and 29) requires that the discovery must be reported to the Department of Natural Resources within two (2) business days. In that event, please call (317) 232-1646. Be advised that adherence to Indiana Code 14-21-1-27 and 29 does not obviate the need to adhere to applicable federal statutes and regulations.

Our comments here pertain only to archaeological resources, because INDOT has decided not to revise the area of potential effects for the expanded right-of-way and added travel lanes, and because no additional information specifically pertaining to aboveground properties has been provided.

If you have questions about archaeological issues, please contact Amy Johnson at (317) 232-6982 or [ajohnson@dnr.IN.gov](mailto:ajohnson@dnr.IN.gov). Questions about aboveground properties should be directed to John Carr at (317) 233-1949 or [jcarr@dnr.IN.gov](mailto:jcarr@dnr.IN.gov). In any future correspondence regarding the above indicated project, please refer to DHPA #5847.

Very truly yours,

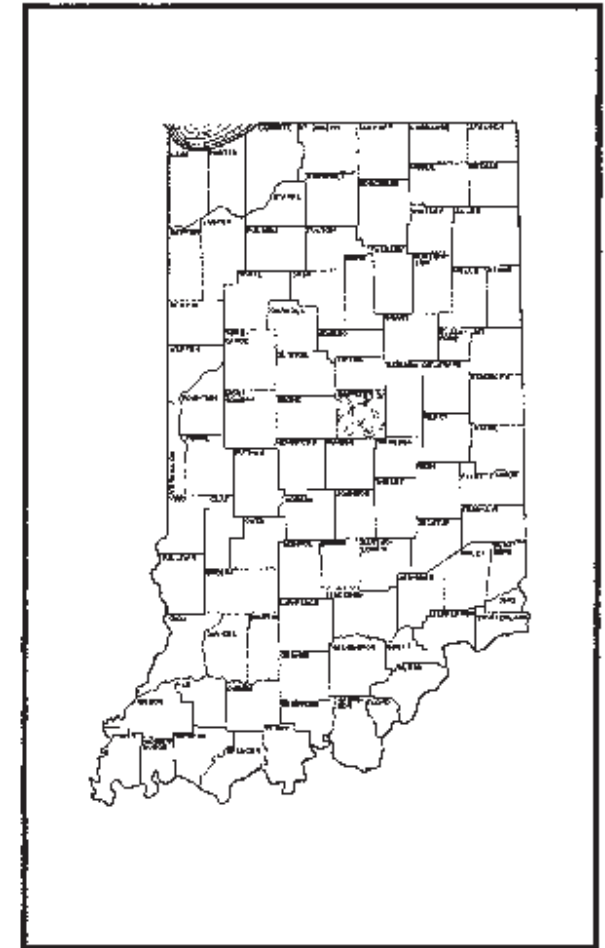
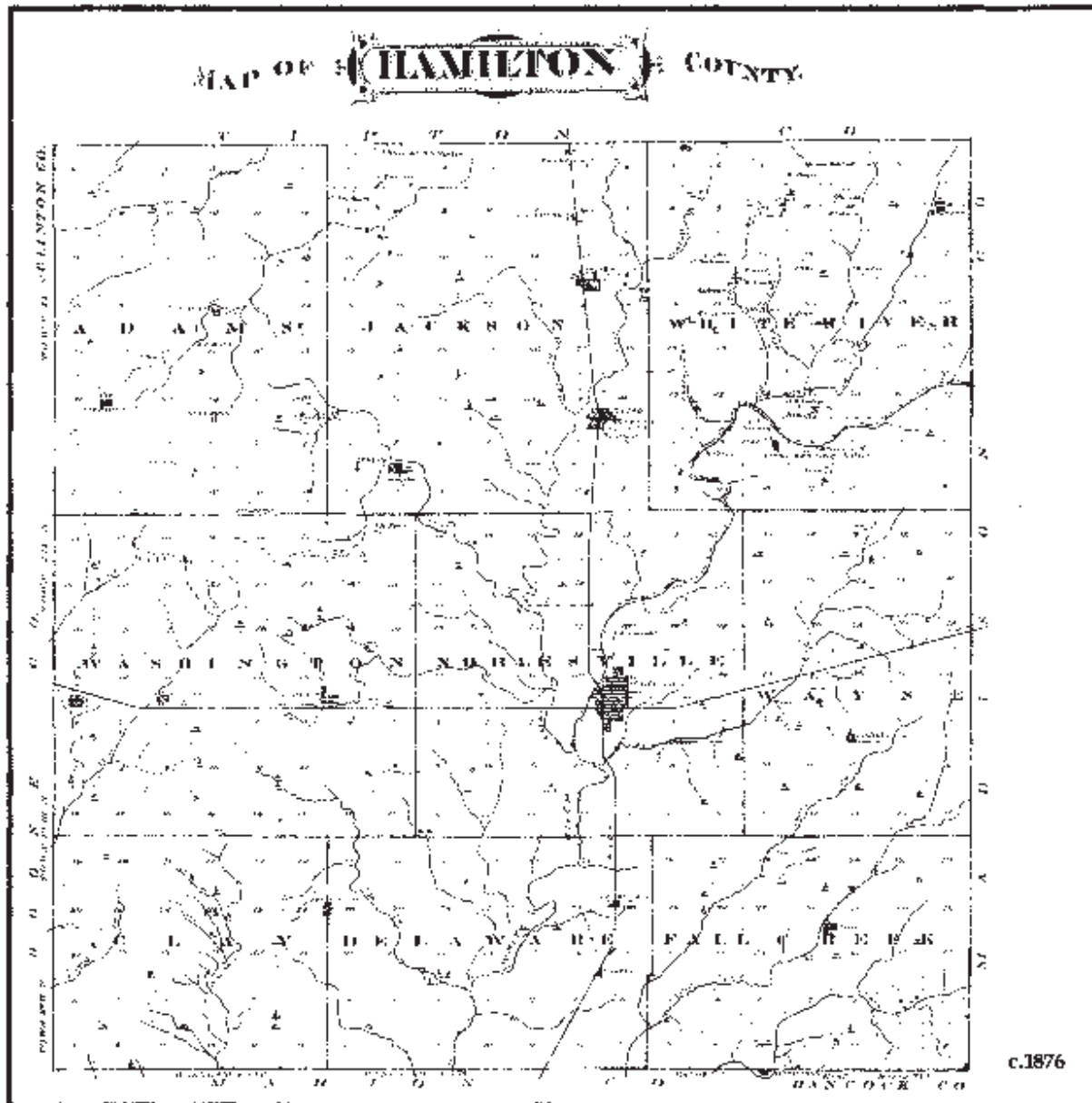
James A. Glass, Ph.D.  
Deputy State Historic Preservation Officer

JAG:ALJ:JLC:jlc

cc: Laura Hilden, INDOT Office of Environmental Services, NEPA Policy Section

# Hamilton County

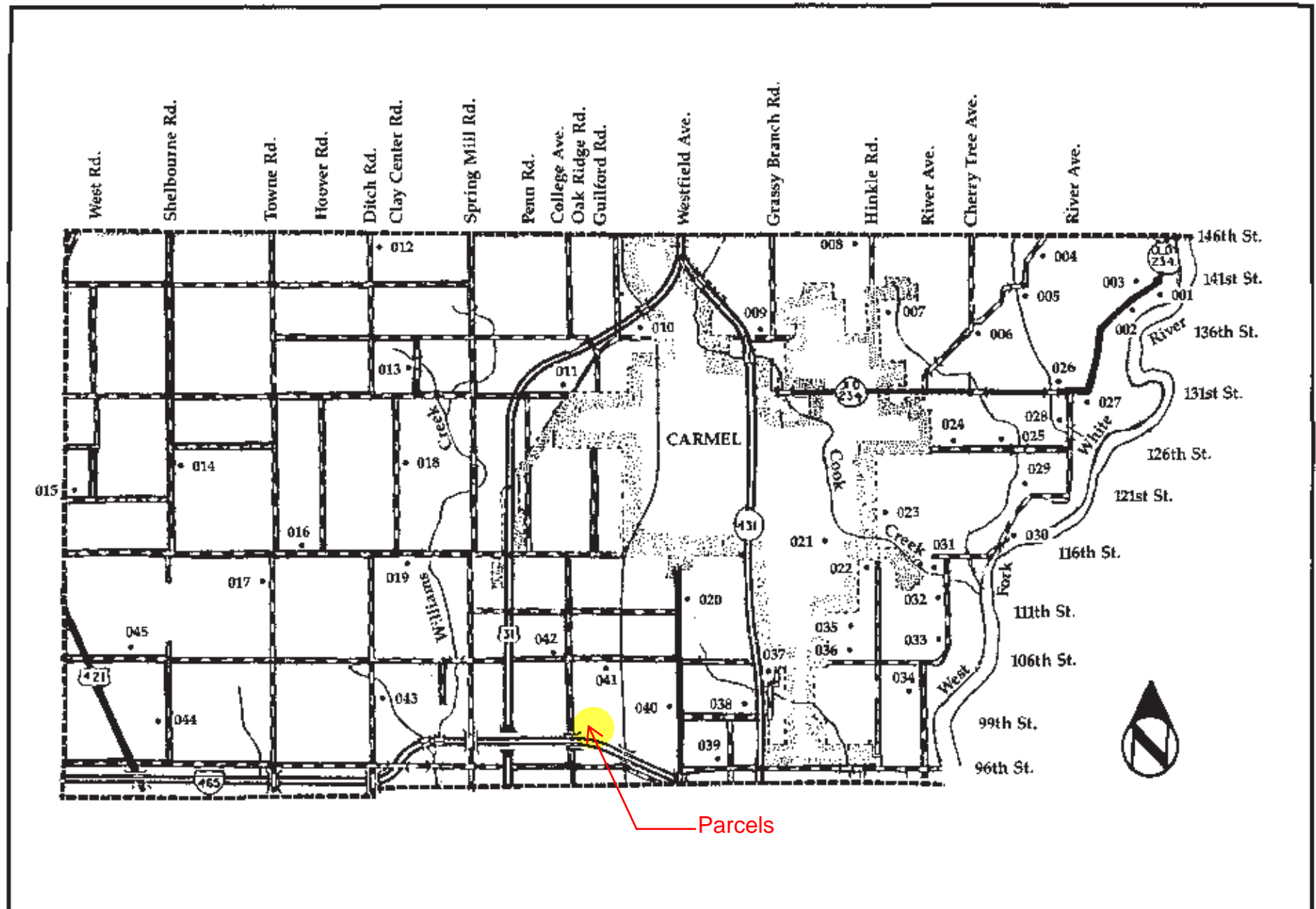
## Interim Report



This interim report is designed to be utilized as a working document by government agencies, local organizations, and private citizens as the basis for a wide variety of projects.

Published March 1992

# Clay Township (55001-045)



029 C **Lynwood Farm**, River Avenue; Houses: Bungalow, c.1920; Cape Cod, c.1940; Outbuildings: livestock barns, hog barn, granary, shed, riding ring; Agriculture, Architecture, Education, Vernacular/Construction (206)

030 N **Silas Moffitt Farm**, River Avenue; House: I-house/Federal/Greek Revival, 1827 (Silas Moffitt, builder); Outbuildings: summer kitchen, milk house, shed; Agriculture, Architecture, Exploration/Settlement, Vernacular/Construction (206)

031 C **White Chapel Methodist Episcopal Church**, E. 116th Street; Church: gable-front, 1853; Cemetery: c.1853-c.1971; Exploration/Settlement, Religion, Vernacular/Construction (206)

032 C **Farm**, River Avenue; House: Vernacular, c.1910; Outbuildings: livestock barn, milk house, sheds; Agriculture, Vernacular/Construction (206)

033 C **Farm**, River Avenue; House: I-house/Greek Revival, c.1840; Outbuildings: English barn, privy, shed; Agriculture, Architecture, Vernacular/Construction (206)

034 C **Farm**, River Avenue; House: hall-and-parlor, c.1870; Outbuildings: transverse-frame barn, English barn, chicken house; Agriculture, Vernacular/Construction (206)

035 N **Metzker House**, Gray Road; House: saltbox/double-pen/Greek Revival, c.1830; Outbuildings: springhouse, pumphouse, garage; Architecture, Exploration/Settlement, Vernacular/Construction (206)

036 N **Clay Township District No. 6 School**, E. 106th Street; T-plan, 1903 (J. J. Shannon, architect; Davis and Hudson, contractors); Education, Vernacular/Construction (206)

037 C **Farley Cemetery**, E. 106th Street; c.1842-present; Exploration/Settlement, Religion (206)



035

038 O **J. W. Wilkinson House**, 2514 E. 99th Street; House: double-pile/Italianate, c.1880; Outbuildings: carriage house, chicken house, smokehouse, corncrib, shed; Architecture, Vernacular/Construction (206)

039 C **Applegit House**, 9680 Haverstick Road; Double-pen/saltbox/Greek Revival, c.1846; Architecture, Vernacular/Construction (206)

040 N **J. G. McShane House**, 10000 Westfield Boulevard; House: Italianate, 1886; Outbuilding: summer kitchen; Architecture, Vernacular/Construction (098)

041 C **Hamer-Combs House**, 1201 E. 106th Street; Double-pen/Greek Revival, c.1840; Architecture, Exploration/Settlement, Vernacular/Construction (098)

042 C **Cemetery**, E. 106th Street; c.1840-c.1905; Exploration/Settlement, Religion (098)

043 C **Joseph Hussey House**, 10479 Ditch Road; Double-pen; Greek Revival, 1853; Architecture, Vernacular/Construction (098)

044 C **John Daubenspeck House**, Towne Road; I-house/Italianate, 1866/1934; Architecture, Vernacular/Construction (098)

045 C **Farm**, W. 106th Street; House: American four-square, c.1910; Outbuilding: English barn; Agriculture, Vernacular/Construction (098)



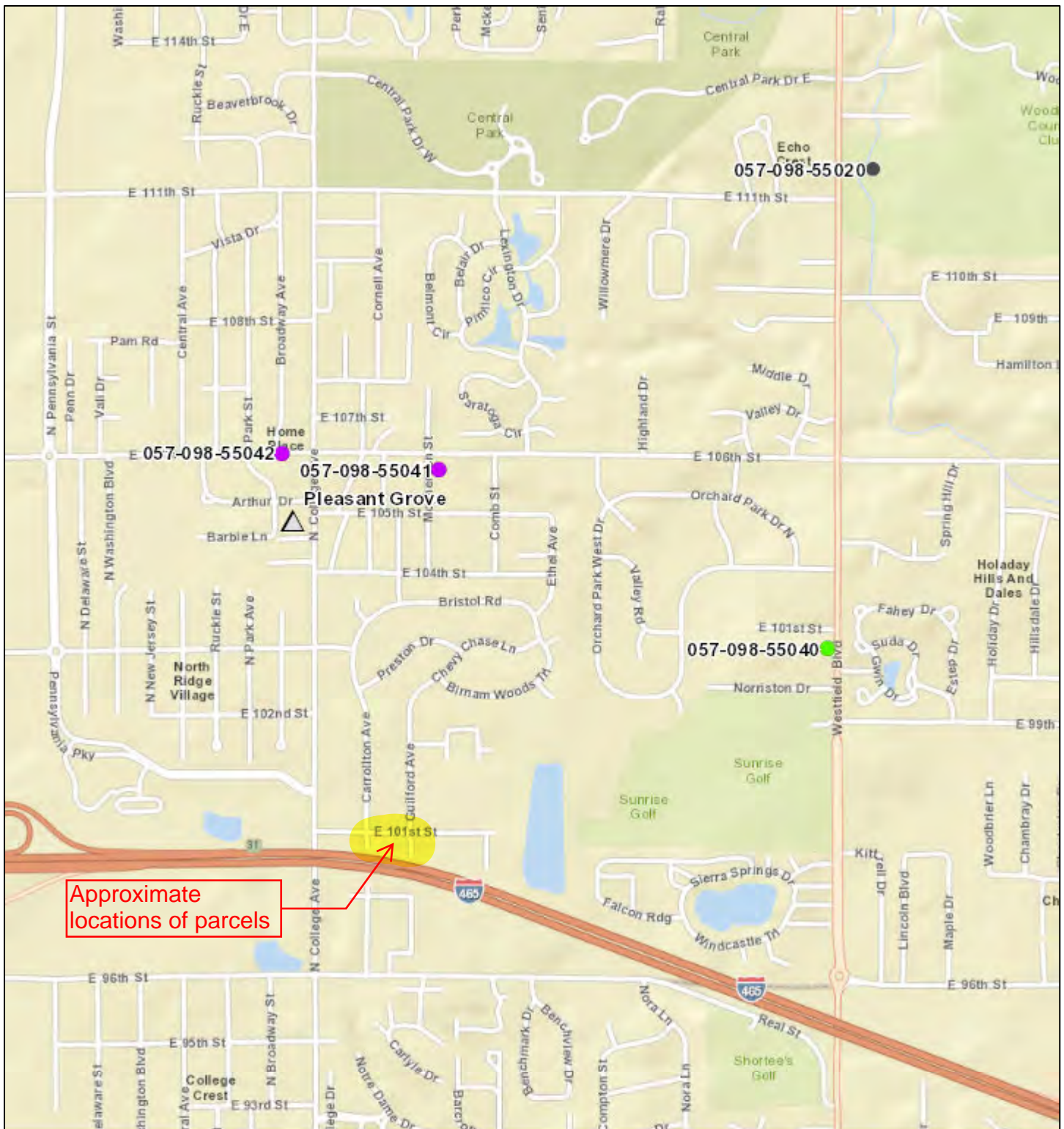
**McCord House**, Fall Creek Township.  
Courtesy: Mrs. Goldia Wood.



**School No. 8**, Clay Township. Courtesy:  
Hamilton County Historical Society, Dr. Earl  
Brooks Collection.

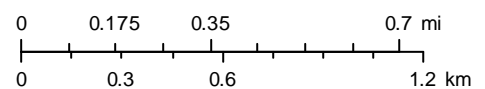


# SHAARD GIS



November 21, 2013

1:22,515



- |  |                  |  |              |  |                         |
|--|------------------|--|--------------|--|-------------------------|
|  | Cemeteries       |  | Demolished   |  | Non-Contributing        |
|  | Outstanding      |  | Unknown      |  | Demolished              |
|  | Notable          |  | Outstanding  |  | Unknown                 |
|  | Contributing     |  | Notable      |  | National Register Sites |
|  | Non-Contributing |  | Contributing |  | Historic Districts      |

Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, iPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2013

# **Appendix C**

## **Red Flag Investigation**





INDIANA DEPARTMENT OF TRANSPORTATION  
*Driving Indiana's Economic Growth*

100 North Senate Avenue  
Room N642  
Indianapolis, Indiana 46204-2216 (317) 232-5348 FAX: (317)  
233-4929

**Michael R. Pence, Governor**  
**Karl B. Browning, Commissioner**

Date: October 1, 2013

To: Marlene Mathas  
Hazardous Materials Unit  
Environmental Services  
Indiana Department of Transportation  
100 N Senate Avenue, Room N642  
Indianapolis, IN 46204

From: Toni Lynn Giffin  
Environmental Services - NEPA  
Indiana Department of Transportation  
100 North Senate Avenue Room N642  
Indianapolis, IN 46204

Re: RED FLAG INVESTIGATION  
LA Code 5084, Parcels24 and 24 A  
LA Code 0490, Parcel 51  
Excess Parcels  
I-465  
Hamilton, County, Indiana

#### **NARRATIVE**

The subject parcels were acquired by INDOT (Indiana Department of Transportation) for right-of-way purposes. INDOT has decided that this surplus land will not be needed for right-of-way or other transportation purposes within the foreseeable future. A legal description of parcels 24, 24A and 51 is as follows:

##### **Parcel 24 and 24A**

A part of the lands acquired by the State of Indiana per Instrument #201 0006941 and recorded February 16, 2010, in Hamilton County, Indiana described as follows: A part of Lots 66 & 91 of College Hills Addition to Hamilton County, Indiana, which subdivision is recorded as Deed Record 119, page 30-31, in the Office of the Recorder of Hamilton County, Indiana, and being all that part of the grantor's land lying within the right of way lines depicted on the attached Right of Way Parcel Plat, marked as **EXHIBIT "B"**, described as follows: Beginning at the southeast corner of said Lot 91, which point is on the northern Limited Access R/W boundary of Interstate 465; thence South 89 degrees 29 minutes 13 seconds West 86.22 feet along the Limited Access boundary of said Interstate 465; thence North 71 degrees 14 minutes 00 seconds West 32.22 feet along said Limited Access R/W boundary to point #9 on said plat; thence North 79 degrees 00 minutes 00 seconds West 286.52 feet along said Limited Access R/W boundary to point #10 on said plat, which point is on the west line of said Lot 66; thence North 0 degrees 30 minutes 47 seconds West 32.18 feet along said west line to the northwest corner of said Lot 66; thence North 89 degrees 29 minutes 13 seconds East 397.38 feet along the north line of said lots to the northeast corner of said Lot 91; thence South 0 degrees 30 minutes 47 seconds East 100.00 feet along the east line of said Lot 91 to the point of beginning and containing 28,562 square feet, more or less.

##### **Parcel 51**

A part of the lands acquired by the State of Indiana per Deed Book 207, page 316-318 and recorded October 27, 1966 and Deed Book 202, page 123-124 and recorded March 18, 1966, in Hamilton County, Indiana described as follows: A part of Lot 90 of College Hills Addition to Hamilton County, Indiana, which subdivision is recorded as Deed Record 119, page 30-31, in the Office of the Recorder of Hamilton County, Indiana, and being all that part of the grantor's land lying within the right of way lines depicted on the attached Right of Way Parcel Plat, marked as **EXHIBIT "B"**, described as follows: Beginning at the northeast corner of said lot; thence

South 0 degrees 30 minutes 47 seconds East 30.16 feet along the east line of said lot to point #11 on said plat, which point is on the northern Limited Access R/W boundary of Interstate 465; thence North 71 degrees 14 minutes 00 seconds West 91.34 feet along the Limited Access R/W boundary of said Interstate 465 to the north line of said lot; thence North 89 degrees 29 minutes 13 seconds East 86.22 feet along said north line to the point of beginning and containing 1,300 square feet, more or less.

## SUMMARY

<b>Infrastructure</b> Indicate the number of items of concern found within ½ mile, including an explanation why each item within the ½ mile radius will/will not impact the project. If there are no items, please indicate N/A:			
Religious Facilities	N/A	Recreational Facilities	2
Airports	N/A	Pipelines	1
Cemeteries	N/A	Railroads	2
Hospitals	N/A	Trails	5
Schools	N/A	Managed Lands	1

Explanation:

**Recreational Facilities:** There are two (2) Recreational Facilities located within the ½ mile buffer. The presence of these Recreational Facilities will not impact the sale of the parcels.

**Pipelines:** There is one (1) Pipeline (Buckeye Pipe Line Company, Refined Product) located within the ½ mile buffer. The presence of this Pipeline will not impact the sale of the parcels.

**Railroads:** There are two (2) Railroads located within the ½ mile buffer. The presence of these Railroads will not impact the sale of the parcels.

**Trails:** There are five (5) Trails located within the ½ mile buffer. The presence of these Trails will not impact the sale of the parcels.

**Managed Lands:** There is one (1) Managed Land (Monon Greenway) located within the ½ mile buffer. The presence of this Managed Land will not impact the sale of the parcels.

<b>Water Resources</b> Indicate the number of items of concern found within ½ mile, including an explanation why each item within the ½ mile radius will/will not impact the project. If there are no items, please indicate N/A:			
NWI - Points	N/A	NWI - Wetlands	3
Karst Springs	N/A	IDEM 303d Listed Lakes	N/A
Canal Structures – Historic	N/A	Lakes	10
NWI - Lines	N/A	Floodplain - DFIRM	1
IDEM 303d Listed Rivers and Streams (Impaired)	N/A	Cave Entrance Density	N/A
Rivers and Streams	6	Sinkhole Areas	N/A
Canal Routes - Historic	N/A	Sinking-Stream Basins	N/A

Explanation:

**NWI – Wetlands:** There are three (3) NWI - Wetlands located within the ½ mile buffer. The presence of these NWI - Wetlands will not impact the sale of the parcels.

**Lakes:** There are ten (10) Lakes located within the ½ mile buffer. The presence of these Lakes will not impact the sale of the parcels.

**Floodplain - DFIRM:** There is one (1) Floodplain located within the ½ mile buffer. The presence of this Floodplain will not impact the sale of the parcels.

**Rivers and Streams:** There are six (6) Rivers located within the ½ mile buffer. The presence of these Rivers will not impact the sale of the parcels.

**Karst Springs:** The subject parcel is not located within the Karst Memorandum of Understanding (MOU) Potential Karst Features Region. The sale of the subject parcel is not anticipated to impact any karst features.

<b>Mining/Mineral Exploration</b>			
Indicate the number of items of concern found within ½ mile, including an explanation why each item within the ½ mile radius will/will not impact the project. If there are no items, please indicate N/A:			
Petroleum Wells	N/A	Petroleum Fields	N/A
Mines – Surface	N/A	Mines – Underground	N/A

Explanation:

There are no Mining/Mineral Exploration located within the ½ mile buffer.

<b>Hazmat Concerns</b>			
Indicate the number of items of concern found within ½ mile, including an explanation why each item within the ½ mile radius will/will not impact the project. If there are no items, please indicate N/A:			
Brownfield Sites	N/A	Restricted Waste Sites	N/A
Corrective Action Sites (RCRA)	N/A	Septage Waste Sites	N/A
Confined Feeding Operations	N/A	Solid Waste Landfills	N/A
Construction Demolition Waste	N/A	State Cleanup Sites	2
Industrial Waste Sites (RCRA Generators)	N/A	Tire Waste Sites	N/A
Infectious/Medical Waste Sites	N/A	Waste Transfer Stations	N/A
Lagoon/Surface Impoundments	N/A	RCRA Waste Treatment, Storage, and Disposal Sites (TSDs)	N/A
Leaking Underground Storage Tanks (LUSTs)	N/A	Underground Storage Tanks	1
Manufactured Gas Plant Sites	N/A	Voluntary Remediation Program	N/A
NPDES Facilities	N/A	Superfund	N/A
NPDES Pipe Locations	1	Institutional Control Sites	N/A
Open Dump Sites	N/A		N/A

Explanation:

**State Cleanup Sites:** There are two (2) State Cleanup Sites located within the ½ mile buffer. The presence of these State Cleanup Sites will not impact the sale of the parcels.

**Underground Storage Tanks:** There is one (1) Underground Storage Tanks located within the ½ mile buffer. The presence of this Underground Storage Tank will not impact the sale of the parcels.

**NPDES Pipe Locations:** There is one (1) NPDES Pipe located within the ½ mile buffer. The presence of this NPDES Pipe will not impact the sale of the parcels.

### Ecological Information

The Hamilton County listing of the Indiana Natural Heritage Data Center information on endangered, threatened, or rare (ETR) species and high quality natural communities is attached with ETR species highlighted.

Research into the Indiana Heritage database revealed no ETR species within a ½ mile radius of the subject parcels. The sale of the subject parcels is not expected to impact ETR species or high quality natural communities.

### Cultural Resources

A request for review was made to INDOT Environmental Services, Cultural Resources, and will be submitted under separate documentation.

## RECOMMENDATIONS

INFRASTRUCTURE: N/A

WATER RESOURCES: N/A

MINING/MINERAL EXPLORATION: N/A

HAZMAT CONCERNS: N/A

ECOLOGICAL INFORMATION: N/A

CULTURAL RESOURCES: A request for review was made to INDOT Environmental Services, Cultural Resources, and will be submitted under separate documentation.

INDOT Environmental Services concurrence:

**Marlene  
Mathas**

Digitally signed by Marlene Mathas  
DN: cn=Marlene Mathas, o=INDOT  
Environmental Services, ou=Hazardous  
Materials,  
email=mmathas@indot.in.gov, c=US  
Date: 2013.11.20 07:44:14 -05'00'

(Signature)

Prepared by:  
Toni Lynn Giffin  
Environmental Manager II  
INDOT Environmental Services

## Graphics:

A map for each report section with a ½ mile radius buffer around all project area(s) showing all items identified as possible items of concern is attached. If there is not a section map included, please change the YES to N/A:

GENERAL SITE MAP SHOWING PROJECT AREA: YES

INFRASTRUCTURE: YES

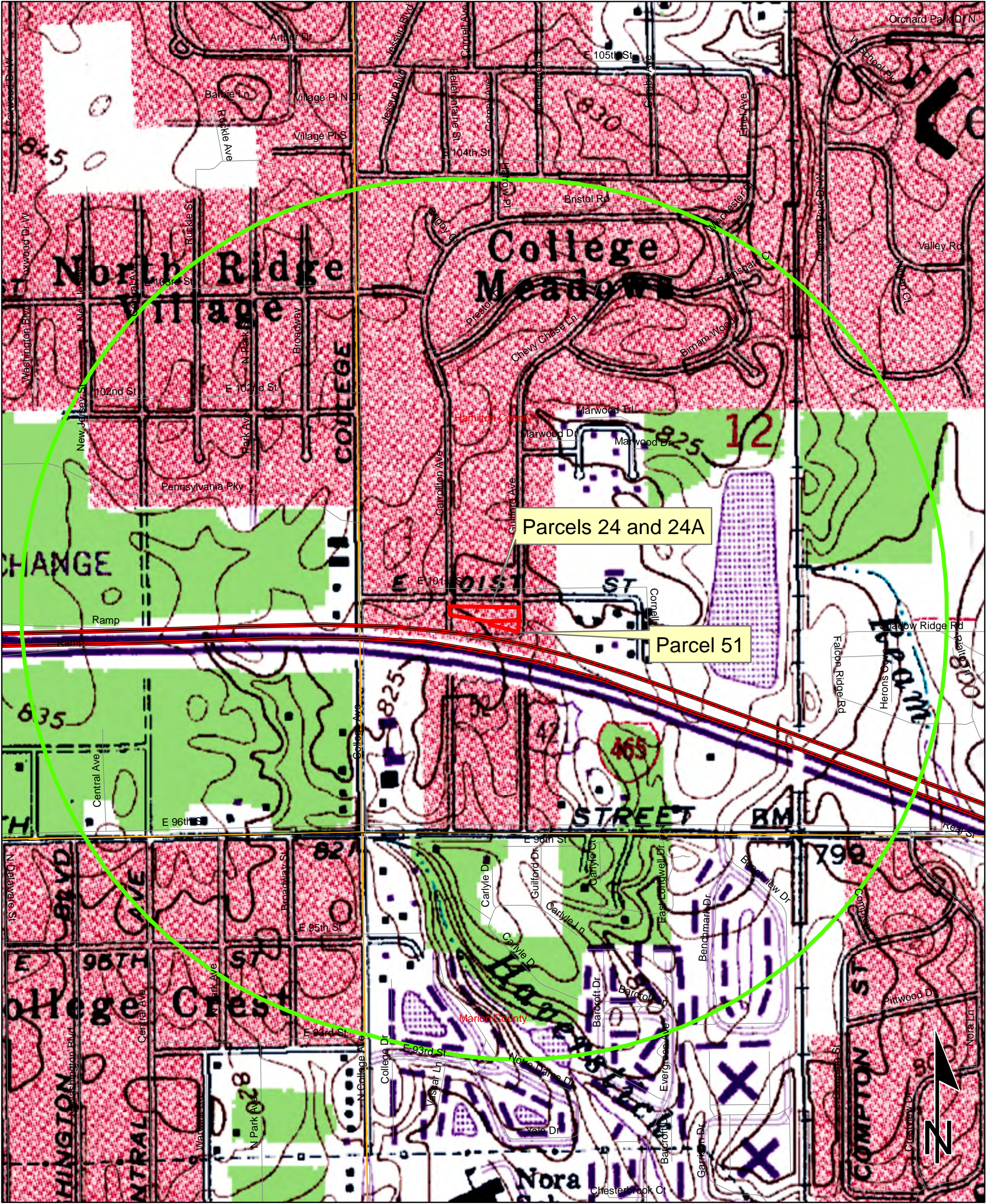
WATER RESOURCES: YES

MINING/MINERAL EXPLORATION: N/A

HAZMAT CONCERNS: YES



Red Flag Investigation - Site Location Map  
I-465 - Excess Parcels  
LA 5084, Parcels 24 and 24A  
LA 0490, Parcel 51  
Hamilton County, Indiana

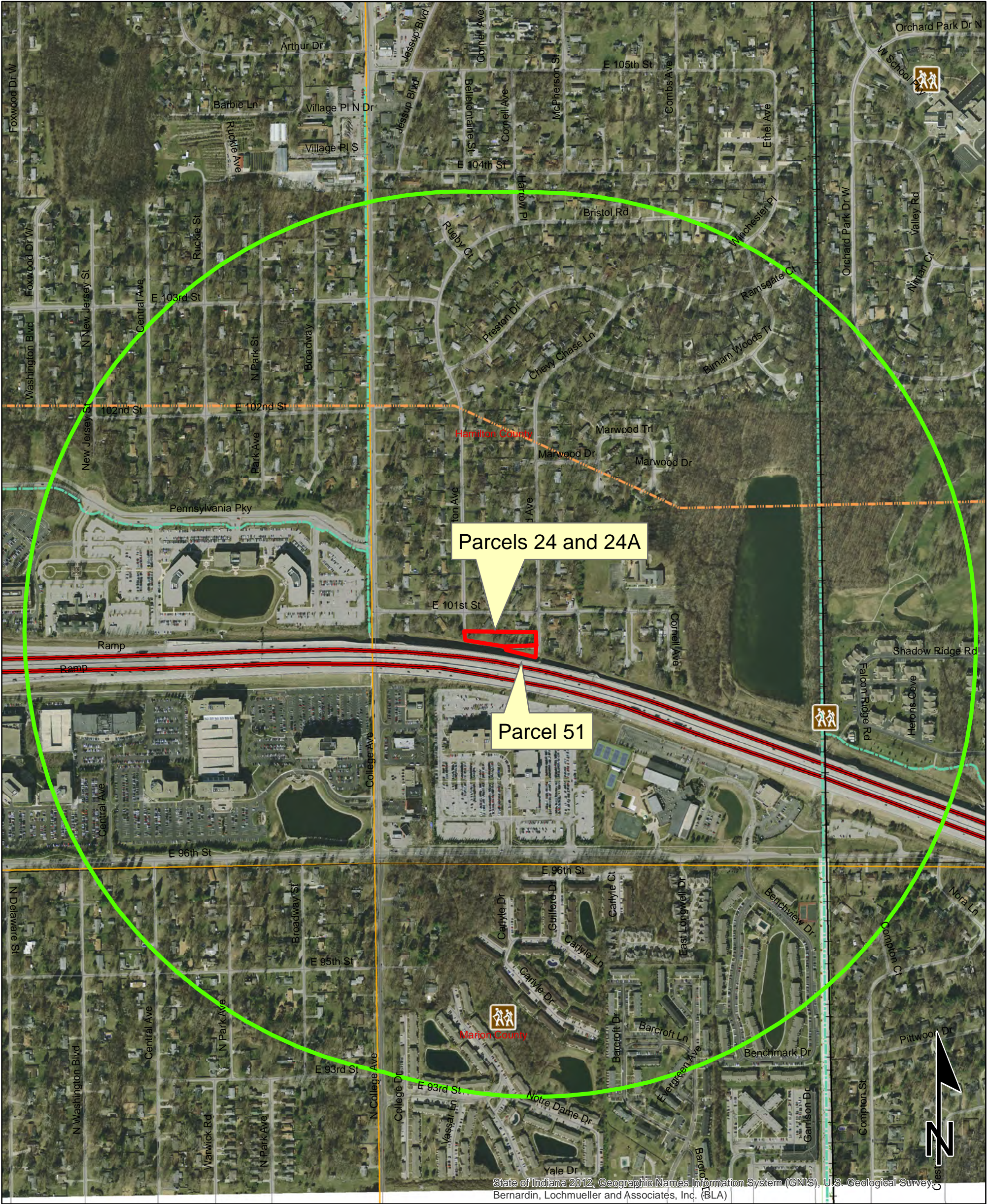


Sources: 0.1 0.05 0 0.1 Miles  
Non Orthophotography  
Data - Obtained from the State of Indiana Geographical Information Office Library  
Orthophotography - Obtained from Indiana Map Framework Data ([www.indianamap.org](http://www.indianamap.org))  
Map Projection: UTM Zone 16 N Map Datum: NAD83  
This map is intended to serve as an aid in graphic representation only. This information is not warranted for accuracy or other purposes.

CARMEL QUADRANGLE  
INDIANA  
7.5 MINUTE SERIES  
(TOPOGRAPHIC)



Red Flag Investigation- Infrastructure Map  
I-465 - Excess Parcels  
LA 5084, Parcels 24 and 24A  
LA 0490, Parcel 51  
Hamilton County, Indiana



Sources: 0.1 0.05 0 0.1 Miles  
Non Orthophotography  
Data - Obtained from the State of Indiana Geographical Information Office Library  
Orthophotography - Obtained from Indiana Map Framework Data ([www.indianamap.org](http://www.indianamap.org))  
Map Projection: UTM Zone 16 N Map Datum: NAD83  
This map is intended to serve as an aid in graphic representation only. This information is not warranted for accuracy or other purposes.

	Religious Facility		Recreation Facility		Project Area
	Religious Facility		Pipeline		Half Mile Radius
	Indiana Map		Railroad		Interstate
	Airport		Trails		State Route
	Cemeteries		Managed Lands		US Route
	Hospital		County Boundary		Local Road
	School				

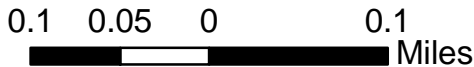


Red Flag Investigation - Water Resource Map  
I-465 - Excess Parcels  
LA 5084, Parcels 24 and 24A  
LA 0490, Parcel 51  
Hamilton County, Indiana



Sources:  
**Non Orthophotography**  
**Data** - Obtained from the State of Indiana Geographical Information Office Library  
**Orthophotography** - Obtained from Indiana Map Framework Data ([www.indianamap.org](http://www.indianamap.org))  
**Map Projection:** UTM Zone 16 N **Map Datum:** NAD83

This map is intended to serve as an aid in graphic representation only. This information is not warranted for accuracy or other purposes.



	NWI - Point		Wetlands		Project Area
	Karst Spring		Lake - Impaired		Half Mile Radius
	Canal Structure - Historic		Lake		Interstate
	NWI- Line		Floodplain - DFIRM		State Route
	Stream - Impaired		Cave Entrance Density		US Route
	NPS NRI listed		Sinkhole Area		Local Road
	River		Sinking-Stream Basin		
	Canal Route - Historic		County Boundary		



Red Flag Investigation - Hazmat Map  
I-465 - Excess Parcels  
LA 5084, Parcels 24 and 24A  
LA 0490, Parcel 51  
Hamilton County, Indiana



	Brownfield		RCRA Generator/TSD		Institutional Controls
	RCRA Corrective Action Sites		Restricted Waste Site		County Boundary
	Confined Feeding Operation		Septage Waste Site		Project Area
	Construction/Demolition Site		Solid Waste Landfill		Half Mile Radius
	Infectious/Medical Waste Site		State Cleanup Site		Interstate
	Leaking Underground Storage Tank		Superfund		State Route
	Manufactured Gas Plant		Tire Waste Site		US Route
	NPDES Facilities		Underground Storage Tank		Local Road
	NPDES Pipe Locations		Voluntary Remediation Program		
	Open Dump Waste Site		Waste Transfer Station		

0.10.0500.1

Miles

This map is intended to serve as an aid in graphic representation only. This information is not warranted for accuracy or other purposes.

Sources:

Non Orthophotography

Data - Obtained from the State of Indiana Geographical Information Office Library

Orthophotography - Obtained from Indiana Map Framework Data ([www.indianamap.org](http://www.indianamap.org))

Map Projection: UTM Zone 16 N

Map Datum: NAD83



# Indiana County Endangered, Threatened and Rare Species List

## County: Hamilton

Species Name	Common Name	FED	STATE	GRANK	SRANK
<b>Mollusk: Bivalvia (Mussels)</b>					
Epioblasma torulosa rangiana	Northern Riffleshell	LE	SE	G2T2	SX
Epioblasma triquetra	Snuffbox	LE	SE	G3	S1
Lampsilis fasciola	Wavyrayed Lampmussel		SSC	G5	S3
Ligumia recta	Black Sandshell			G5	S2
Obovaria subrotunda	Round Hickorynut		SSC	G4	S1
Plethobasus cyphus	Sheepnose	LE	SE	G3	S1
Pleurobema clava	Clubshell	LE	SE	G2	S1
Ptychobranhus fasciolaris	Kidneyshell		SSC	G4G5	S2
Quadrula cylindrica cylindrica	Rabbitsfoot	C	SE	G3G4T3	S1
Toxolasma lividus	Purple Lilliput		SSC	G3	S2
Villosa fabalis	Rayed Bean	LE	SSC	G2	S1
Villosa lienosa	Little Spectaclecase		SSC	G5	S3
<b>Insect: Odonata (Dragonflies &amp; Damselflies)</b>					
Enallagma divagans	Turquoise Bluet		SR	G5	S3
<b>Amphibian</b>					
Acris crepitans blanchardi	Northern Cricket Frog		SSC	G5	S4
Necturus maculosus	Common mudpuppy		SSC	G5	S2
Rana pipiens	Northern Leopard Frog		SSC	G5	S2
<b>Reptile</b>					
Clemmys guttata	Spotted Turtle		SE	G5	S2
Sistrurus catenatus catenatus	Eastern Massasauga	C	SE	G3G4T3T4Q	S2
<b>Bird</b>					
Bartramia longicauda	Upland Sandpiper		SE	G5	S3B
Buteo lineatus	Red-shouldered Hawk		SSC	G5	S3
Certhia americana	Brown Creeper			G5	S2B
Dendroica cerulea	Cerulean Warbler		SE	G4	S3B
Haliaeetus leucocephalus	Bald Eagle	LT,PDL	SSC	G5	S2
Ixobrychus exilis	Least Bittern		SE	G5	S3B
Lanius ludovicianus	Loggerhead Shrike	No Status	SE	G4	S3B
Nycticorax nycticorax	Black-crowned Night-heron		SE	G5	S1B
Thryomanes bewickii	Bewick's Wren			G5	S1B
<b>Mammal</b>					
Taxidea taxus	American Badger		SSC	G5	S2
<b>Vascular Plant</b>					
Armoracia aquatica	Lake Cress		SE	G4?	S1
Chelone obliqua var. speciosa	Rose Turtlehead		WL	G4T3	S3
Drosera intermedia	Spoon-leaved Sundew		SR	G5	S2
Platanthera leucophaea	Prairie White-fringed Orchid	LT	SE	G2G3	S1

Indiana Natural Heritage Data Center  
Division of Nature Preserves  
Indiana Department of Natural Resources  
This data is not the result of comprehensive county surveys.

Fed: LE = Endangered; LT = Threatened; C = candidate; PDL = proposed for delisting  
State: SE = state endangered; ST = state threatened; SR = state rare; SSC = state species of special concern; SX = state extirpated; SG = state significant; WL = watch list  
GRANK: Global Heritage Rank: G1 = critically imperiled globally; G2 = imperiled globally; G3 = rare or uncommon globally; G4 = widespread and abundant globally but with long term concerns; G5 = widespread and abundant globally; G? = unranked; GX = extinct; Q = uncertain rank; T = taxonomic subunit rank  
SRANK: State Heritage Rank: S1 = critically imperiled in state; S2 = imperiled in state; S3 = rare or uncommon in state; G4 = widespread and abundant in state but with long term concern; SG = state significant; SH = historical in state; SX = state extirpated; B = breeding status; S? = unranked; SNR = unranked; SNA = nonbreeding status unranked

Indiana County Endangered, Threatened and Rare Species List

County: Hamilton

Species Name	Common Name	FED	STATE	GRANK	SRANK
<b>High Quality Natural Community</b>					
Forest - floodplain wet-mesic	Wet-mesic Floodplain Forest		SG	G3?	S3
Forest - upland mesic	Mesic Upland Forest		SG	G3?	S3

Indiana Natural Heritage Data Center  
Division of Nature Preserves  
Indiana Department of Natural Resources  
This data is not the result of comprehensive county surveys.

Fed: LE = Endangered; LT = Threatened; C = candidate; PDL = proposed for delisting  
State: SE = state endangered; ST = state threatened; SR = state rare; SSC = state species of special concern; SX = state extirpated; SG = state significant; WL = watch list  
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# **Appendix D**

## **Parcel Documentation**



# INDIANA DEPARTMENT OF TRANSPORTATION

*Driving Indiana's Economic Growth*

100 North Senate Avenue  
Room N642  
Indianapolis, Indiana 46204

PHONE: (317) 232-5005  
FAX: (317) 233-3055

**Michael R. Pence., Governor**  
**Karl B. Browning, Commissioner**

September 16, 2013

## MEMORANDUM

TO: Ken McMullen, Environmental Services

THRU: Chris Andrews, Environmental Services

THRU: Ron Bales, Environmental Services

FROM: Steve Catron, Excess Land Team  
Real Estate Division

SUBJECT: Request for Archaeological Clearance, Hazardous Waste Survey & CE to Dispose of Excess. This property is EXCESS R/W. The ~~Crawfordsville~~ District has determined the property to be excess.

*Greenfield District*  
*7/21*

Project: 0400289  
Parcel(s): 24  
Code: 5084  
County: Marion  
Road: I-465

**Expected time of completion of the above activities is October 31, 2013**

This Division desires to proceed with the disposal of the subject properties, unless there is some indication that the disposal of this property would not be in the best interest of the State. **Also, please obtain a clearance letter from the Department of Natural Resources, if needed.**



## EXHIBIT "A"

Project: 0400289  
Code: 5084  
Parcel: 24 Excess Land

Sheet 1 of 2

A part of the lands acquired by the State of Indiana per Instrument #2010006941 and recorded February 16, 2010, in Hamilton County, Indiana described as follows: A part of Lots 66 & 91 of College Hills Addition to Hamilton County, Indiana, which subdivision is recorded as Deed Record 119, page 30-31, in the Office of the Recorder of Hamilton County, Indiana, and being all that part of the grantor's land lying within the right of way lines depicted on the attached Right of Way Parcel Plat, marked as **EXHIBIT "B"**, described as follows: Beginning at the southeast corner of said Lot 91, which point is on the northern Limited Access R/W boundary of Interstate 465; thence South 89 degrees 29 minutes 13 seconds West 86.22 feet along the Limited Access boundary of said Interstate 465; thence North 71 degrees 14 minutes 00 seconds West 32.22 feet along said Limited Access R/W boundary to point #9 on said plat; thence North 79 degrees 00 minutes 00 seconds West 286.52 feet along said Limited Access R/W boundary to point #10 on said plat, which point is on the west line of said Lot 66; thence North 0 degrees 30 minutes 47 seconds West 32.18 feet along said west line to the northwest corner of said Lot 66; thence North 89 degrees 29 minutes 13 seconds East 397.38 feet along the north line of said lots to the northeast corner of said Lot 91; thence South 0 degrees 30 minutes 47 seconds East 100.00 feet along the east line of said Lot 91 to the point of beginning and containing 28,562 square feet, more or less.

Reserving unto the State of Indiana the right to control access along the 286.52-foot, and the 32.22-foot courses described above in the legal description of 28,562 square feet, more or less. This shall be a covenant running with the land and binding on all successors in title.

This description was prepared for the Indiana Department of Transportation by Ronald L. Raney, Indiana Registered Land Surveyor, License Number LS 80870012 on the 1<sup>st</sup> day of November, 2012



  
Ronald L. Raney

## EXHIBIT "A"

Sheet 2 of 2

Code: 0490

Parcel: 51 Excess R/W

A part of the lands acquired by the State of Indiana per Deed Book 207, page 316-318 and recorded October 27, 1966 and Deed Book 202, page 123-124 and recorded March 18, 1966, in Hamilton County, Indiana described as follows: A part of Lot 90 of College Hills Addition to Hamilton County, Indiana, which subdivision is recorded as Deed Record 119, page 30-31, in the Office of the Recorder of Hamilton County, Indiana, and being all that part of the grantor's land lying within the right of way lines depicted on the attached Right of Way Parcel Plat, marked as **EXHIBIT "B"**, described as follows: Beginning at the northeast corner of said lot; thence South 0 degrees 30 minutes 47 seconds East 30.16 feet along the east line of said lot to point #11 on said plat, which point is on the northern Limited Access R/W boundary of Interstate 465; thence North 71 degrees 14 minutes 00 seconds West 91.34 feet along the Limited Access R/W boundary of said Interstate 465 to the north line of said lot; thence North 89 degrees 29 minutes 13 seconds East 86.22 feet along said north line to the point of beginning and containing 1,300 square feet, more or less.

Reserving unto the State of Indiana the right to control access along the 91.34-foot course described above in the legal description of 1,300 square feet, more or less. This shall be a covenant running with the land and binding on all successors in title.



This description was prepared for the Indiana Department of Transportation by Ronald L. Raney, Indiana Registered Land Surveyor, License Number LS 80870012 on the 1<sup>st</sup> day of November, 2012

  
Ronald L. Raney

Recorder  
NC  
(7)

5084-24

STATE OF INDIANA  
COUNTY OF HAMILTON

) IN THE HAMILTON SUPERIOR COURT  
) SS:  
) CAUSE NO. 29D01-0909-PL-1162

STATE OF INDIANA,

Plaintiff,

v.

ROBERT E. WRIGHT AND  
MARY LOU WRIGHT AS JOINT TENANTS  
WITH RIGHT OF SURVIVORSHIP AND  
HAMILTON COUNTY, INDIANA,

Defendants.

2010006941 JUDGMENT \$0.00  
02/16/2010 12:26:58P 7 PGS  
Jennifer J Hayden  
HAMILTON County Recorder IN  
Recorded as Presented

FILED

FEB 05 2010

Peggy Beaver  
CLERK OF THE  
HAMILTON SUPERIOR COURT

JUDGMENT

The Court, having examined the record of this case and being duly advised, now finds:

1. Plaintiff filed its *Complaint for Appropriation of Real Estate* in this case on September 14, 2009, and Defendants named in the complaint were served with notice as provided by statute.

2. Defendant, Mary Lou Wright, appeared by counsel on or about October 14, 2009.

3. Defendants, Robert E. Wright and Hamilton County, Indiana failed to appear in this case.

4. On December 18, 2009, the Court ordered the appropriation of the real estate described in Plaintiff's complaint and appointed three (3) disinterested parties to assess the benefits and damages, if any, resulting from Plaintiff's appropriation.

5. On December 22, 2009, the court-appointed appraisers reported to the Court that Defendants were entitled to receive total just compensation of One Hundred Seventy-eight Thousand Dollars (\$178,000.00) as a result of Plaintiff's appropriation.

6. On December 22, 2009, the Clerk of the Court sent notice of the *Report of Appraisers* to all parties and attorneys of record by United States certified mail.

DULY ENTERED FOR TAXATION  
Subject to final acceptance for transfer  
16 day of February, 2010  
Dawn Courdale Auditor of Hamilton County  
Parcel # P/W

7. If exceptions to the *Report of Appraisers* are to be filed, they shall be filed within twenty (20) days after notice of the report is sent to all parties and attorneys of record by United States certified mail. Ind.Code § 32-24-1-11.

8. No exceptions to the *Report of Appraisers* have been filed in this case.

9. When, as here, no exceptions are filed within the prescribed statutory period, the court-appointed appraisers' report is conclusive as a matter of law, and there is no issue left for trial. *State v. Redmon*, 186 N.E. 328 (Ind. 1933); *Southern Indiana Gas Elec. Co. v. Decker*, 307 N.E. 2d 51 (Ind. 1974).

10. Plaintiff is in the process of paying the court-appointed appraisers' fees of Three Thousand Six Hundred Dollars (\$3,600.00) and depositing the court award in the amount of One Hundred Seventy-eight Thousand Dollars (\$178,000.00) with the Clerk of the Court in this case.

11. Defendant, Mary Lou Wright, should now recover One Hundred Seventy-eight Thousand Dollars (\$178,000.00) as total just compensation from Plaintiff in this case.

12. The *Motion for Judgment* should be granted.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Plaintiff, State of Indiana, now holds **fee simple title**, including all rights of possession, to the real estate described in the attached Exhibit A and Exhibit B.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendants, Robert E. Wright and Hamilton County, Indiana are defaulted and shall take nothing from this case, that Defendant Mary Lou Wright, should now recover One Hundred Seventy-eight Thousand Dollars (\$178,000.00) as total just compensation in this case, all of which is in the process of being paid to the Clerk of the Court in full satisfaction of this *Judgment* and all of Defendant's claims in this case.

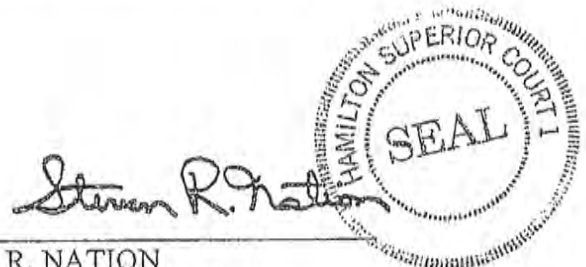


IT IS FURTHER ORDERED that the Clerk of the Court shall promptly send two (2) certified copies of this *Judgment* to the undersigned Deputy Attorney General who upon receipt will forward with a completed *Indiana Sales Disclosure Form* to the Hamilton County **Assessor** to be reviewed and forwarded to the Auditor and Recorder of Hamilton County, Indiana: (1) that said **Auditor shall** remove the above-described **fee simple** interest in real estate from the tax records and rolls of Hamilton County and cancel all Tax Year 2010/Payable Year 2011 real estate taxes and subsequent years' taxes thereon; and that said **Auditor shall** submit evidence of the property duly entered for transfer, by United States mail, to the undersigned Deputy Attorney General; and (2) that said **Recorder shall**, pursuant to Ind. Code § 8-23-7-31 and without payment of fee, record the transfer of the above-described real estate to the State of Indiana, and that said **Recorder shall** submit evidence of that recorded transfer, by United States mail, to the undersigned Deputy Attorney General at the Office of the Attorney General, Indiana Government Center South, 5<sup>th</sup> Floor, 302 W. Washington Street, Indianapolis, IN 46204-2770.

FEB 04 2010

Date: \_\_\_\_\_

THE HONORABLE STEVEN R. NATION  
JUDGE, HAMILTON SUPERIOR COURT NO. 1



THE DOCUMENT TO WHICH THIS CERTIFICATE  
IS ATTACHED IS A FULL, TRUE AND COR-  
RECT COPY OF THE ORIGINAL ON FILE  
OF RECORD IN MY OFFICE

DATE 2-5-10 BOOK 32 PAGE 1  
Peggy Beaver  
DATE OF CERTIFICATION \_\_\_\_\_  
CLERK OF COURTS PEGGY BEAVER  
CLERK HAMILTON  
COUNTY COURTS

DISTRIBUTION ATTACHED

693232/09-060521



**COPIES TO:**

Michelle L. Kossmann  
Deputy Attorney General  
Indiana Attorney General's Office  
302 W. Washington Street, 5<sup>th</sup> Floor  
Indianapolis, IN 46204  
*Attorney for Plaintiff, State of Indiana*

Kerry W. Mann  
3500 DePauw Blvd.  
Suite 1076  
Indianapolis, IN 46268  
*Attorney for Defendant, Mary Lou Wright*

Michael A. Howard  
County Attorney, Hamilton County, Indiana  
694 Logan Street  
Noblesville, IN 46060  
*Attorney for Defendant, Hamilton County, Indiana*

The Honorable Debbie Folkerts  
Assessor, Hamilton County, Indiana  
33 N. 9<sup>th</sup> St., Suite 214  
Noblesville, IN 46060

The Honorable Robin M. Mills  
Auditor of Hamilton County, Indiana  
33 N. 9<sup>th</sup> St., Suite L21  
Noblesville, IN 46060

The Honorable Jennifer Hayden  
Recorder of Hamilton County, Indiana  
33 N. 9<sup>th</sup> St., Suite 309  
Noblesville, IN 46060



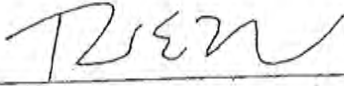
Project: 0400289  
Code: 5084  
Parcel: 24 Fee

Page 1 of 1

Lots Numbered 66 and 91 in College Hills, an addition in Hamilton County, Indiana, as per plat thereof recorded in Deed Record 119, pages 30 and 31, in the Office of the Recorder of Hamilton County, Indiana.

This description was retyped from the grantor's deed for the Indiana Department of Transportation by Trent E. Newport, Indiana Registered Land Surveyor, License Number 29600021, on the 11<sup>th</sup> day of September, 2009.

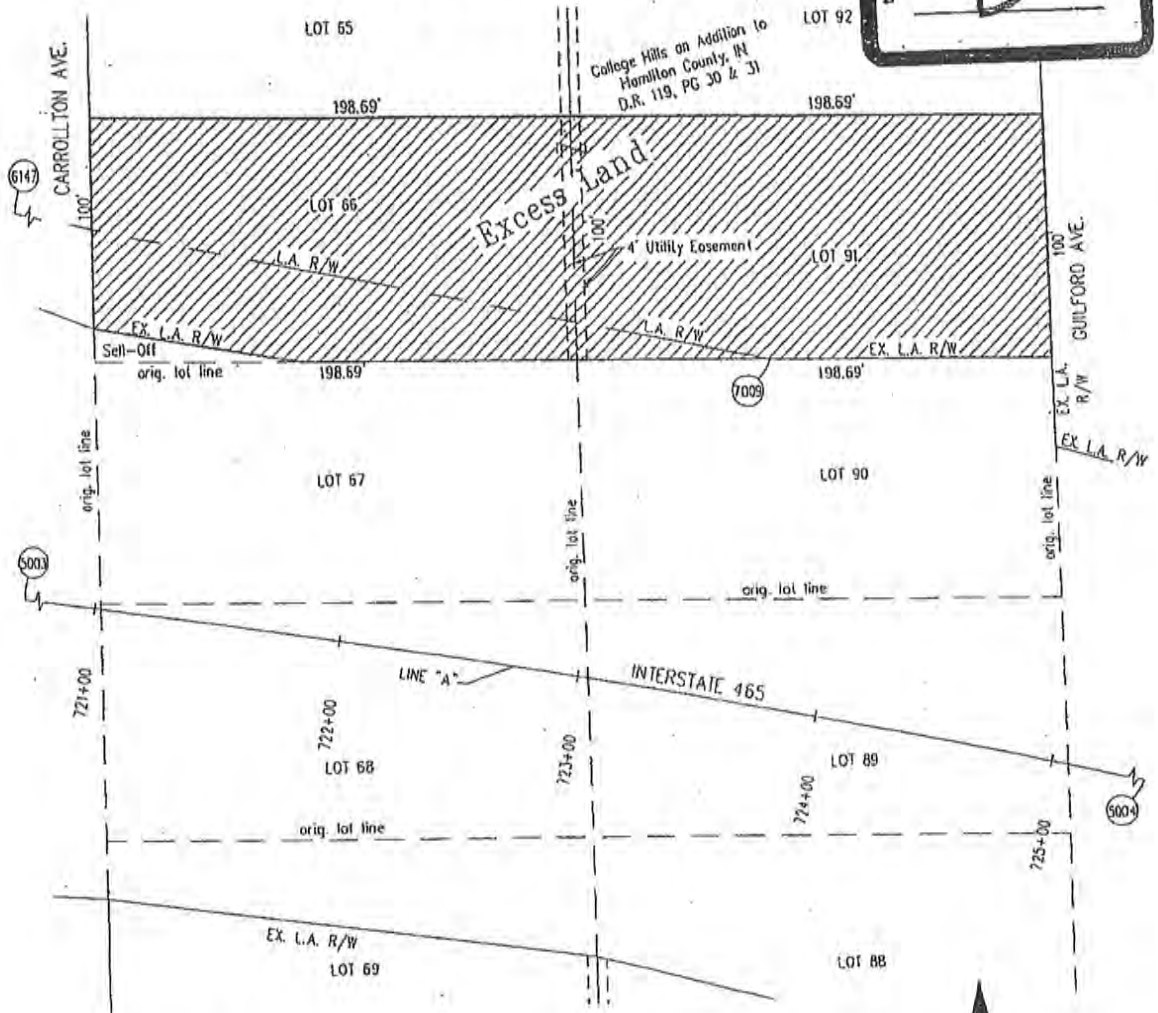


  
TRENT E. NEWPORT  
INDIANA LAND SURVEYOR  
NO. LS 29600021

# Exhibit "P"

## Right-of-Way Parcel Plat

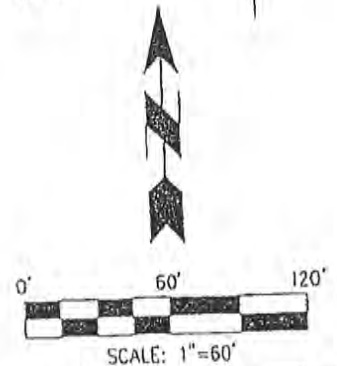
Prepared for Indiana Department of Transportation  
By CrossRoad Engineers, P.C.



Parcel Coordinate Chart (Shown in Feet)

Point	Centerline	Station	Offset	Northing	Easting
5003	"A"	P.C.(711+87.53)	0.00'	18382.6949	44978.5872
5004	"A"	P.T.(733+42.70)	0.00'	18000.9807	47086.7979
6147	"A"	+PL(718+33.83)	PL(173.39')(L)	18524.5137	45641.7910
7009	"A"	723+58.00	PL(144.32')(L)	18415.5432	46169.9646

Note: Stations & Offsets Control over both North & East Coordinates and Bearings & Distances.



To the best of my knowledge and belief, this plat, together with the "Location Control Route Survey" recorded as Instrument Number 2008-137840 in the Office of the Recorder of Marion County, Indiana, (Incorporated and made a part hereof by reference) comprise a Route Survey executed in accordance with Title 865 Indiana Administrative Code 1-12, ("Rule 12").

*Trent E. Newport* 3/30/09

Trent E. Newport  
Reg. Land Surveyor No. 29600021  
State of Indiana



Owner: Robert E. & Mary Lou Wright

Drawn By: K. Knapp 3/30/09  
Checked By: R. Perry 3/30/09  
DES. No. 0400289

Parcel: 24  
Code: 5084  
Project: 0400289  
Road: Interstate 465  
County: Hamilton  
Section: 12  
Township: 17 North  
Range: 3 East

Hatched Area is the Approximate Taking

Note: Centerline Stationing is English

Deed Record 278, Page 365-368

Dated: 12/30/1974

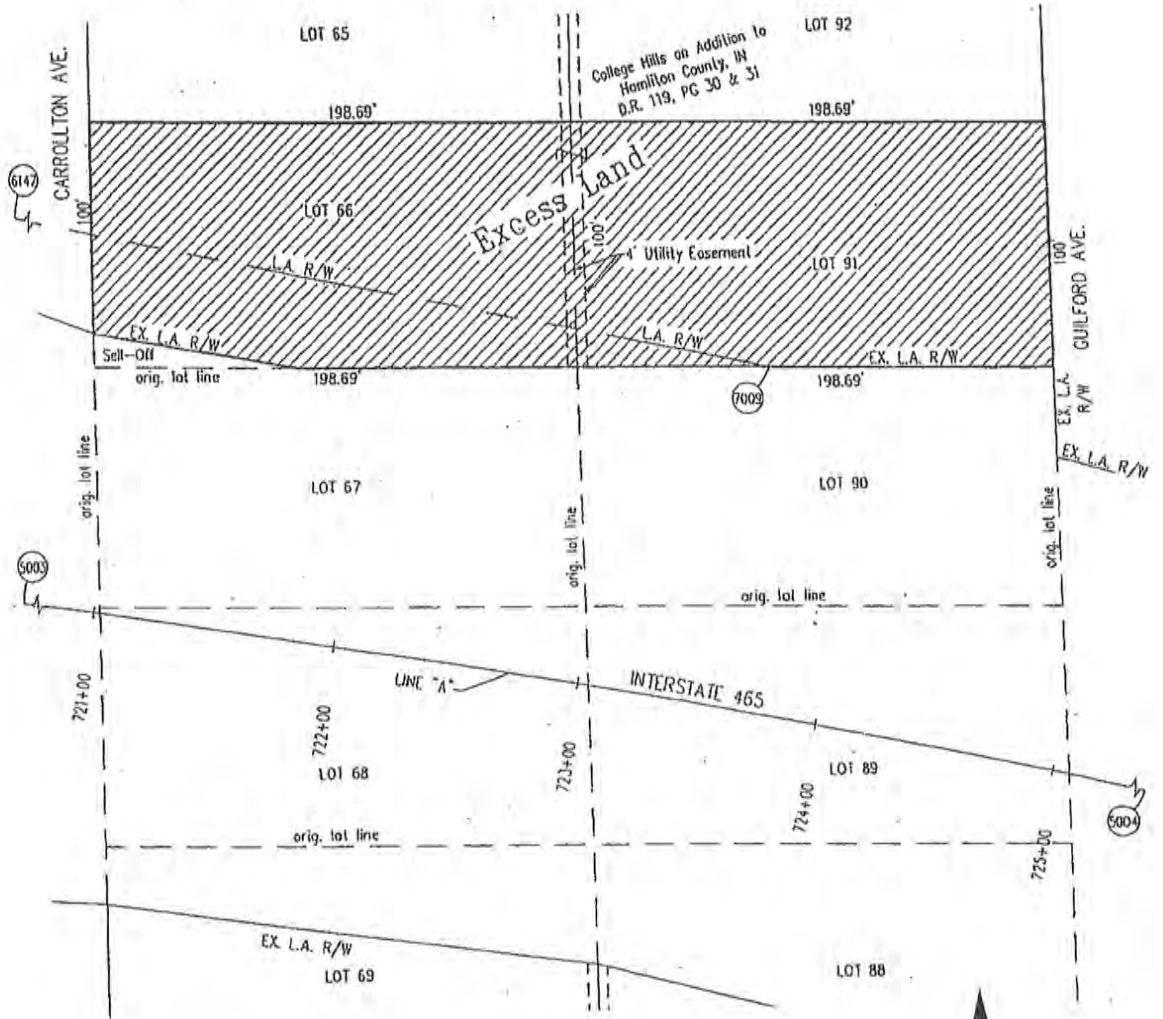
Dimensions Shown Are From The Above Listed Record Documents



# Exhibit "P"

## Right-of-Way Parcel Plat

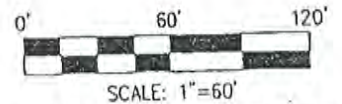
Prepared for Indiana Department of Transportation  
By CrossRoad Engineers, P.C.



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Note: Stations & Offsets Control over both North & East Coordinates and Bearings & Distances.



To the best of my knowledge and belief, this plat, together with the "Location Control Route Survey" recorded as Instrument Number 2008-137840 in the Office of the Recorder of Marion County, Indiana, (Incorporated and made a part hereof by reference) comprise a Route Survey executed in accordance with Title 865 Indiana Administrative Code 1-12, ("Rule 12").

*Trent E. Newport* 3/30/09

Trent E. Newport  
Reg. Land Surveyor No. 29600021  
State of Indiana

Owner: Robert E. & Mory Lou Wright

Parcel: 24  
Code: S084  
Project: 0400289  
Road: Interstate 465  
County: Hamilton  
Section: 12  
Township: 17 North  
Range: 3 East

Hatched Area is the Approximate Taking

Note: Centerline Stationing is English



Drawn By: K. Knopp 3/30/09  
Checked By: R. Perry 3/30/09  
DES. No. 0400289

Deed Record 278, Page 365-366

Dated: 12/30/1974

Dimensions Shown Are From The Above Listed Record Documents

09/07

## STATEMENT OF THE BASIS FOR JUST COMPENSATION

Code: 5084

1. This is a written statement of, and summary of the basis for, the establishment of the amount believed to be, through a valuation process, just compensation for the purchase of this right-of-way for highway purposes. The amount set forth in Item 5 below is not less than the approved estimate of value. Public Law 91-646 as amended, the "Uniform Act" and as codified in Indiana at IC 8-23-17-1 through 8-23-17-35, provides, this value disregards any decrease or increase in fair market value of the property prior to the date of valuation caused by the public improvement for which the property is acquired other than physical deterioration within reasonable control of the owner.

2. The legal description of this acquisition is set forth in the instrument of conveyance in the following identified parcel and this acquisition is identified in the Acquiring Agency's records as:

Des. # 0400289 Parcel 24 Road I-465 County Hamilton

Owner(s) Robert E. Wright and Mary Lou Wright

3. The area and type of interest being acquired: 39,177 square feet fee simple

The amount in Item 5 below includes payment for the purchase of all interests in the real property and no separately held interest is being acquired separately in whole or part, except as may be explained in Item 8 below.

4. This acquisition is (Check one):

- a. ☐ A total acquisition of the real property.  
b. ☒ A partial acquisition of the real property.

5. The Agency's Offer: Just compensation has been determined to be and the Acquiring Agency's offer for the purchase of this real property is as follows:

a. Total Land, Land Improvements and Buildings

\$165,000

b. Severance Damages (i.e.: Setback, Loss in Value to the Residues, etc)

\$0

c. Other Damages (Itemize)

Cost-To-Cure estimates:

none

\$0

Temporary R/W

NA

Total Damages

\$0

Total amount believed to be Just Compensation offered for this Acquisition is:

\$165,000

6. The amount in Item 5 above may include payment for the purchase of certain buildings and improvements and their ownership shall pass to the Acquiring Agency. These buildings and improvements are identified as follows:

1,650 square foot single family residential dwelling

7. The amount in Item 5 above may include payment for the purchase of certain Land Improvements, Fixtures, Equipment, Machinery, Signs, Etc., and their ownership shall pass to the Acquiring Agency. These items are identified as follows:

Approx. 3,000 sf seeded lawn, 3,800 sf asphalt drive, well, trees and landscaping, one clothesline

8. Items owned by others (i.e.: lessee, tenants, etc.) included in Item 5 above are identified as follows:

None

9. Remarks: The total fee simple acquisition includes 39,177 square feet new R/W and 0.000 square feet existing R/W.

April 13, 2009

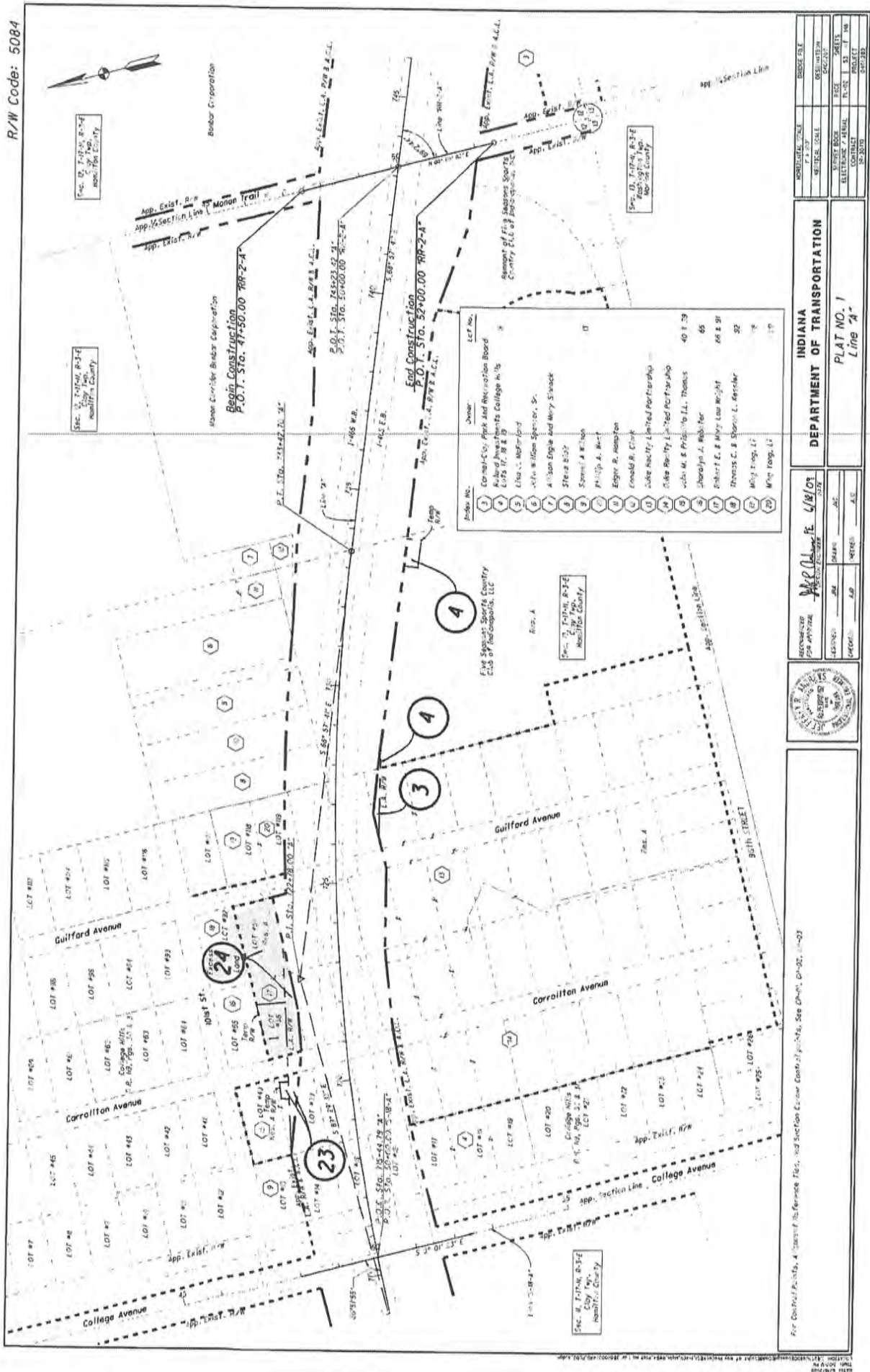
Date

Signature

Acquiring Agency:

Mike Ernstberger for INDOT 5/7/09  
Mike Ernstberger  
Review Appraiser







# WARRANTY DEED

260

Project 1-465-4(128)

Code 0490

Parcel 51

BOOK 202 PAGE 123

This Indenture Witnesseth, That

Mc LEED HITTSON & MARY HITTSON, H & W.

of Oakland County, in the State of MICHIGAN

Convey and Warrant to

the STATE OF INDIANA for and in consideration of

THIRTY THOUSAND FOUR HUNDRED EIGHTY —  $\frac{00}{100}$  (\$30,480.00) Dollars,

the receipt whereof is hereby acknowledged, the following described Real Estate in HAMILTON County in the State of Indiana, to wit:

LOTS 67, 89 AND 90 IN COLLEGE HILLS, AN ADDITION IN HAMILTON COUNTY, INDIANA, AS PER PLAT THEREOF, RECORDED IN DEED RECORD 119, PAGES 30 AND 31, IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA.

THIS CONVEYANCE IS FOR THE PURPOSES OF A LIMITED ACCESS FACILITY, AND THE GRANTOR ALSO CONVEYS AND EXTINGUISHES ALL RIGHTS OR EASEMENTS OF INGRESS OR EGRESS TO, FROM, OR ACROSS THE ABOVE DESCRIBED REAL ESTATE.

RESERVING, HOWEVER, UNTO THE GRANTOR THE FOLLOWING DESCRIBED FIXTURES AND IMPROVEMENTS WHICH ARE TREATED BY THE GRANTOR AND GRANTEE AS PERSONAL PROPERTY: ONE METAL SHED; WHICH FIXTURES AND IMPROVEMENTS GRANTOR COVENANTS TO MOVE FREE OF COST TO GRANTEE OFF THE ABOVE DESCRIBED REAL ESTATE WITHIN THIRTY DAYS FOLLOWING RECEIPT OF THE FIRST CHECK AND WHICH FIXTURES AND IMPROVEMENTS GRANTOR FURTHER COVENANTS SHALL BE TREATED AS AN ENCROACHMENT ON SAID LAND AFTER EXPIRATION OF THE FORESAID THIRTY DAYS, SAID ENCROACHMENT PERMITTING THE GRANTEE TO REMOVE FROM THE ABOVE DESCRIBED REAL ESTATE, BY DESTRUCTION OR OTHERWISE, SAID FIXTURES AND IMPROVEMENTS WITHOUT INCURRING ANY LIABILITY WHATSOEVER TO THE GRANTOR.

LAND & IMPROVEMENTS — \$30,400.00  
DAMAGES — 80.00  
TOTAL CONSIDERATION — \$30,480.00

Paid by Warrant No. H-87101

W 76-B  
1-17-66 Dated 2-25-1966

The grantor shall clear and convey free of all leases, licenses, or other interests both legal and equitable, and all encumbrances of any kind or character on, in and under said land as conveyed.

It is understood between the parties hereto, and their successors in title, and made a covenant herein which shall run with the land, that all lands hereinbefore described (excepting any parcels specifically designated as easements or as temporary rights of way) are conveyed in fee simple and not merely for right of way purposes, and that no reversionary rights whatsoever are intended to remain in the grantor(s).

And further states that said grantors do hereby represent and state that they are each citizens of the United States of America, and that said citizenship has existed continuously since prior to April 8, 1940; that they have been domiciled and residing continuously within the United States since prior to April 8, 1940; that they are not acting directly or indirectly in any capacity whatsoever for any foreign country or national thereof; that there is no one other than above grantor(s) who has (have) had any proprietary right, title or interest in the above described real estate, either directly or indirectly, during grantors ownership, that these representations and statements are made under oath to induce the acceptance of this deed of conveyance.

In Witness Whereof, the said Mc LEED HITTSON & MARY HITTSON, H & W have hereunto set their hand and seal, this 30th day of November 1965

(Seal) \_\_\_\_\_ (Seal)  
x McLeod Hittson (Seal) Mary Hittson (Seal)  
Mc LEED HITTSON (Seal) MARY HITTSON (Seal)  
(Seal) \_\_\_\_\_ (Seal)  
(Seal) \_\_\_\_\_ (Seal)

ME H

JAN 31 1966

This Instrument Prepared by J.R. Vinton

JAN 21 1966



STATE OF INDIANA, \_\_\_\_\_ County, ss:  
Before me, the undersigned, a Notary Public in and for said County and State, this \_\_\_\_\_  
day of \_\_\_\_\_, A. D. 19\_\_\_\_; personally appeared the within named \_\_\_\_\_  
\_\_\_\_\_, Grantor, \_\_\_\_\_ in the above conveyance, and acknowl-  
edged the same to be \_\_\_\_\_ voluntary act and deed, for the uses and purposes herein mentioned.  
I have hereunto subscribed my name and affixed my official seal.  
My Commission expires \_\_\_\_\_ Notary Public

STATE OF INDIANA, \_\_\_\_\_ County, ss:  
Before me, the undersigned, a Notary Public in and for said County and State, this \_\_\_\_\_  
day of \_\_\_\_\_, A. D. 19\_\_\_\_; personally appeared the within named \_\_\_\_\_  
\_\_\_\_\_, Grantor, \_\_\_\_\_ in the above conveyance, and acknowl-  
edged the same to be \_\_\_\_\_ voluntary act and deed, for the uses and purposes herein mentioned.  
I have hereunto subscribed my name and affixed my official seal.  
My Commission expires \_\_\_\_\_ Notary Public

STATE OF INDIANA, MICHIGAN, \_\_\_\_\_ County, ss:  
Before me, the undersigned, a Notary Public in and for said County and State, this 31st  
day of March, A. D. 1964; personally appeared the within named \_\_\_\_\_  
290 Fred H. Eberts & Mary H. Eberts  
\_\_\_\_\_, Grantor, \_\_\_\_\_ in the above conveyance, and acknowl-  
edged the same to be \_\_\_\_\_ voluntary act and deed, for the uses and purposes herein mentioned.  
I have hereunto subscribed my name and affixed my official seal.  
My Commission expires Jan 3, 1969 Richard A. Eberts Notary Public  
Richard A. Eberts



WARRANTY DEED

FROM

TO

STATE OF INDIANA

Received for record this \_\_\_\_\_

day of \_\_\_\_\_, 19\_\_\_\_

at \_\_\_\_\_ o'clock \_\_\_\_\_ m, and

Recorded in Book No. \_\_\_\_\_ page \_\_\_\_\_

Recorder \_\_\_\_\_ County \_\_\_\_\_

Duly entered for taxation this \_\_\_\_\_

day of \_\_\_\_\_, 19\_\_\_\_

Auditor's fee \$ \_\_\_\_\_

RECEIVED FOR RECORD

At \_\_\_\_\_ o'clock \_\_\_\_\_ A. M. \_\_\_\_\_ County \_\_\_\_\_

MAR 18 1966

BOOK 202 PAGE 123-124

Charles E. Hall

RECORDED IN BOOK NO. \_\_\_\_\_

Division of Land Acquisition  
Indiana State Highway Commission



0:20:50 07

SCANS.

WATKINS, ALMA HELEN  
WATKINS, ALMA HELEN



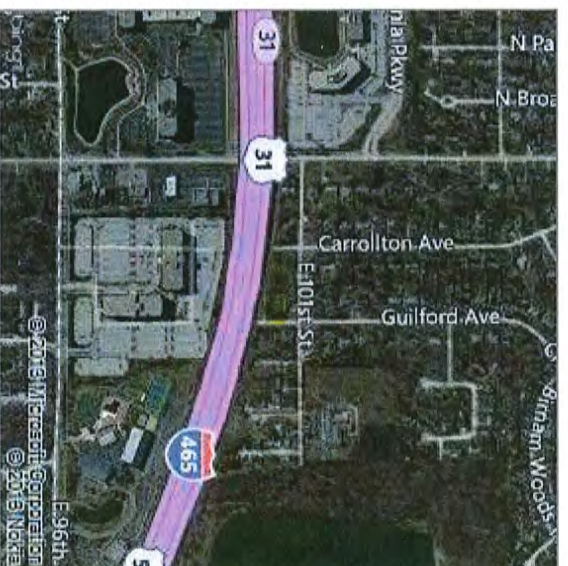
Robert Miller  
12-14-64

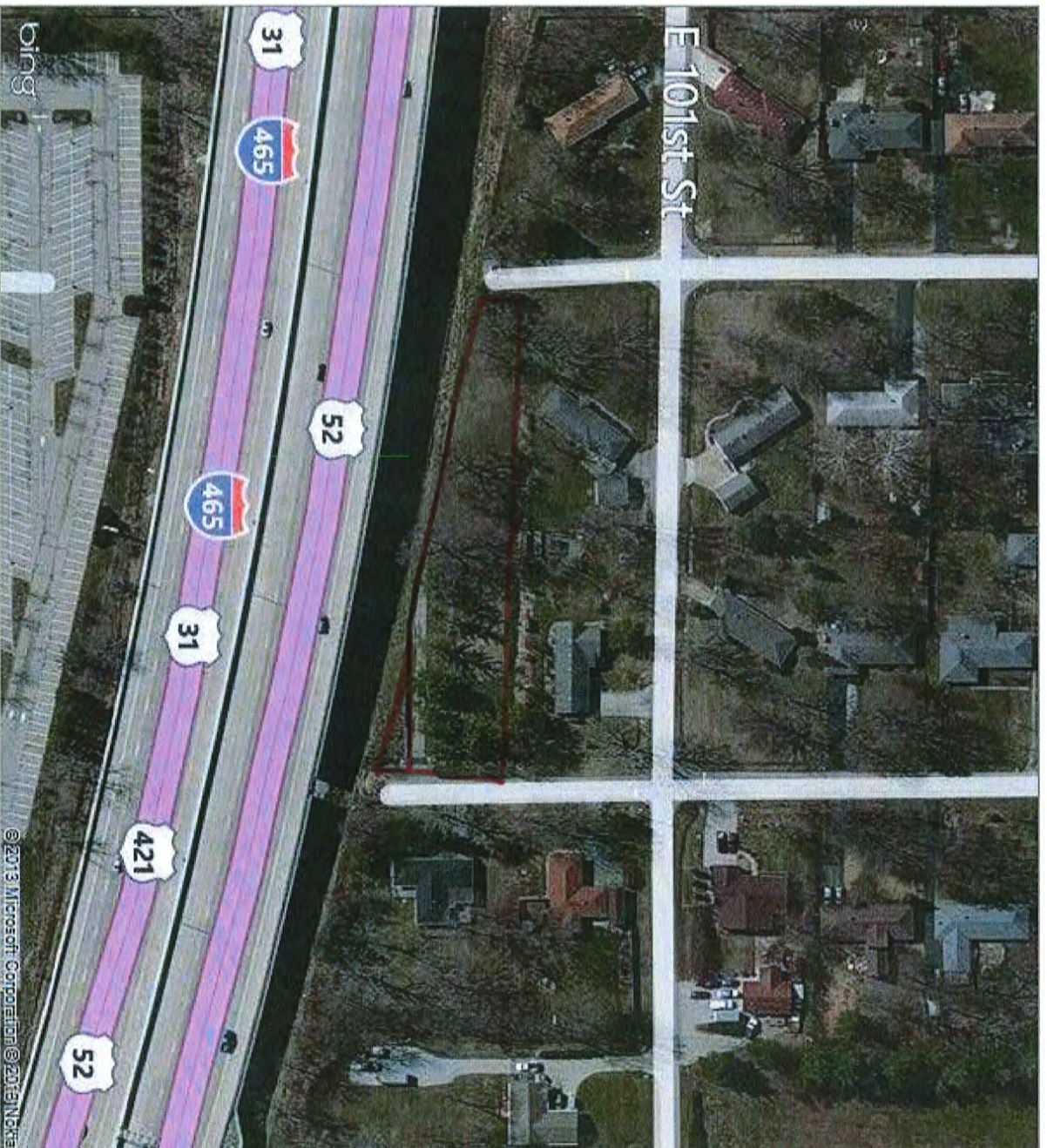




My Notes

 On the go? Use [m.bing.com](http://m.bing.com) to find maps, directions, businesses, and more





Bird's eye view maps can't be printed, so another map view has been substituted.



PROJECT	DESIGNATION
CONTRACT	0400289 / 0800063
IR-30155	

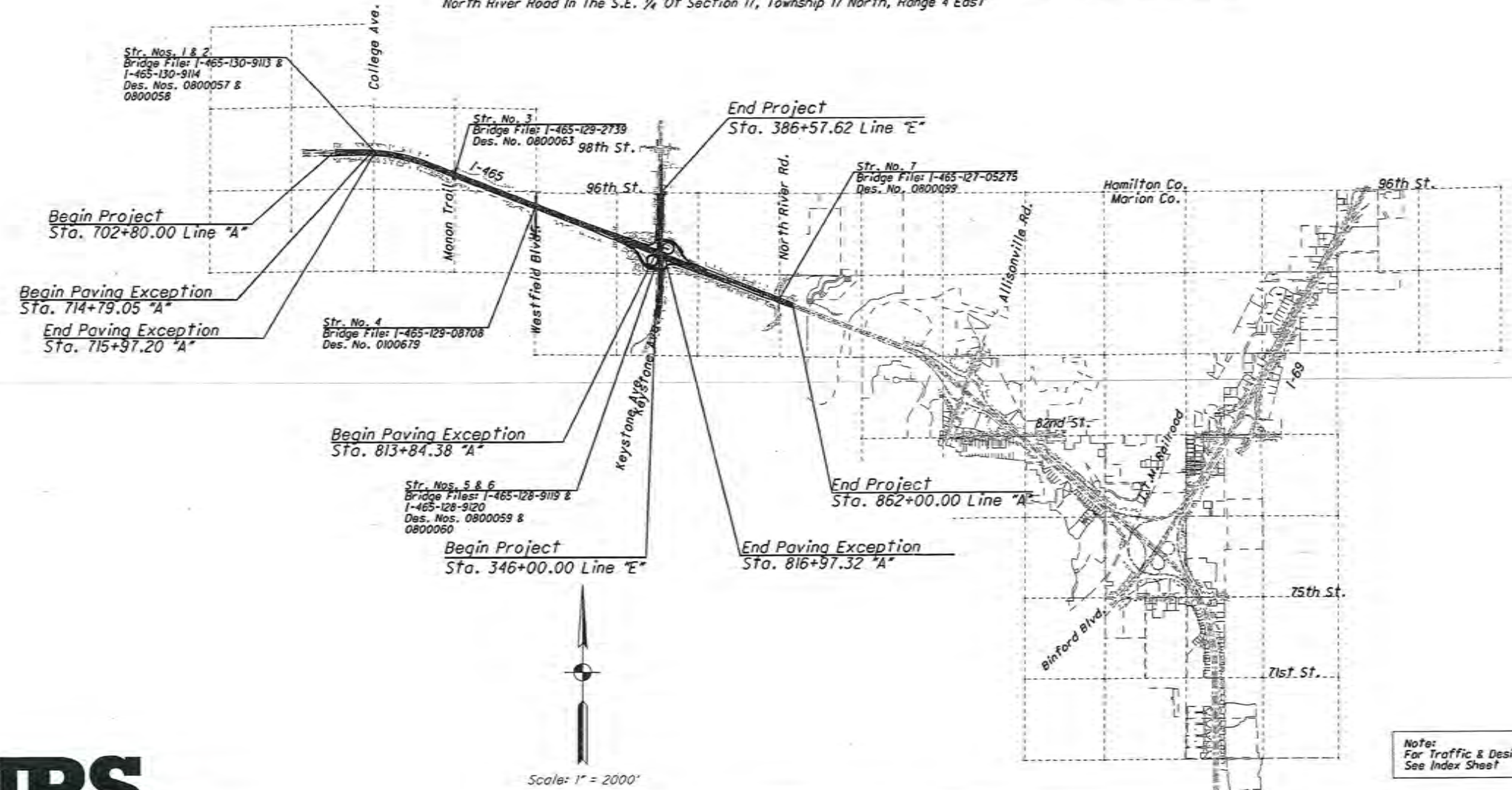
  

KIN DESIGNATION NO.	
BRIDGE	
0800057	EB I-465 over College Ave.
0800058	WB I-465 over College Ave.
0800063	I-465 over Monon Trail
0100679	Westfield Blvd.
0800059	EB I-465 over Keystone Ave.
0800060	WB I-465 over Keystone Ave.
0800099	North River Rd. over I-465
Signing	
Lighting	
Traffic	
Signal	
Roadway	
0400410	Interchange Modification at SR 431 / Keystone Avenue & I-465

INDIANA  
DEPARTMENT OF  
TRANSPORTATION

RIGHT-OF-WAY PLANS  
ROUTE: I-465 from R.P. 31+03 to R.P. 34+17  
PROJECT NO.

Beginning At A Point On The Centerline Of I-465 West Of College Avenue In The S.E. 1/4 Of Section 11, Township 17 North, Range 3 East, Clay Township And Extending Easterly Through Section 12, Township 17 North, Range 3 East of Clay Township, Section 13, 17 North, Range 3 East, Section 18, Township 17 North, Range 4 East, Section 17 North, Range 4 East Of Washington Township For A Distance Of Approximately 16,120 Feet To A Point East Of The Intersection Of I-465 And North River Road In The S.E. 1/4 Of Section 17, Township 17 North, Range 4 East



Roadway Length (I-465):	2.98 mi
Total Length (I-465):	3.07 mi
Max. Grade :	2.75%
Project Latitude:	86° 06' 44" W
Project Longitude:	39° 55' 17" N
Hydrologic Unit Number:	05120201090050

Section 1 (Mainline I-465)  
Final R/W Plans  
06/18/09

INDIANA DEPARTMENT OF TRANSPORTATION  
STANDARD SPECIFICATIONS DATED 2008  
TO BE USED WITH THESE PLANS

Note:  
For Traffic & Design Data  
See Index Sheet



One Indiana Square, Suite 2100  
Indianapolis, In 46204  
317-532-5400

Location Map  
City of Carmel & Indianapolis  
Hamilton, Marion County  
Indiana

FEDERAL HIGHWAY ADMINISTRATION  
U.S. DEPT. OF TRANSPORTATION  
APPROVED: \_\_\_\_\_ DATE \_\_\_\_\_  
DIVISION ADMINISTRATOR



PLANS PREPARED BY: J.R.A. PE 6/18/09 317-532-5400 PHONE NUMBER  
APPROVED: \_\_\_\_\_ DATE \_\_\_\_\_  
RECOMMENDED FOR APPROVAL: \_\_\_\_\_ DATE \_\_\_\_\_  
MANAGER, R/W ENGINEERING SECTION

HORIZONTAL SCALE	BRIDGE FILE
VERTICAL SCALE	DESIGNATION
	0400289
SURVEY BOOK	PAGE
ELECTRONIC / AERIAL	TS-01
CONTRACT	PROJECT
IR-30130	

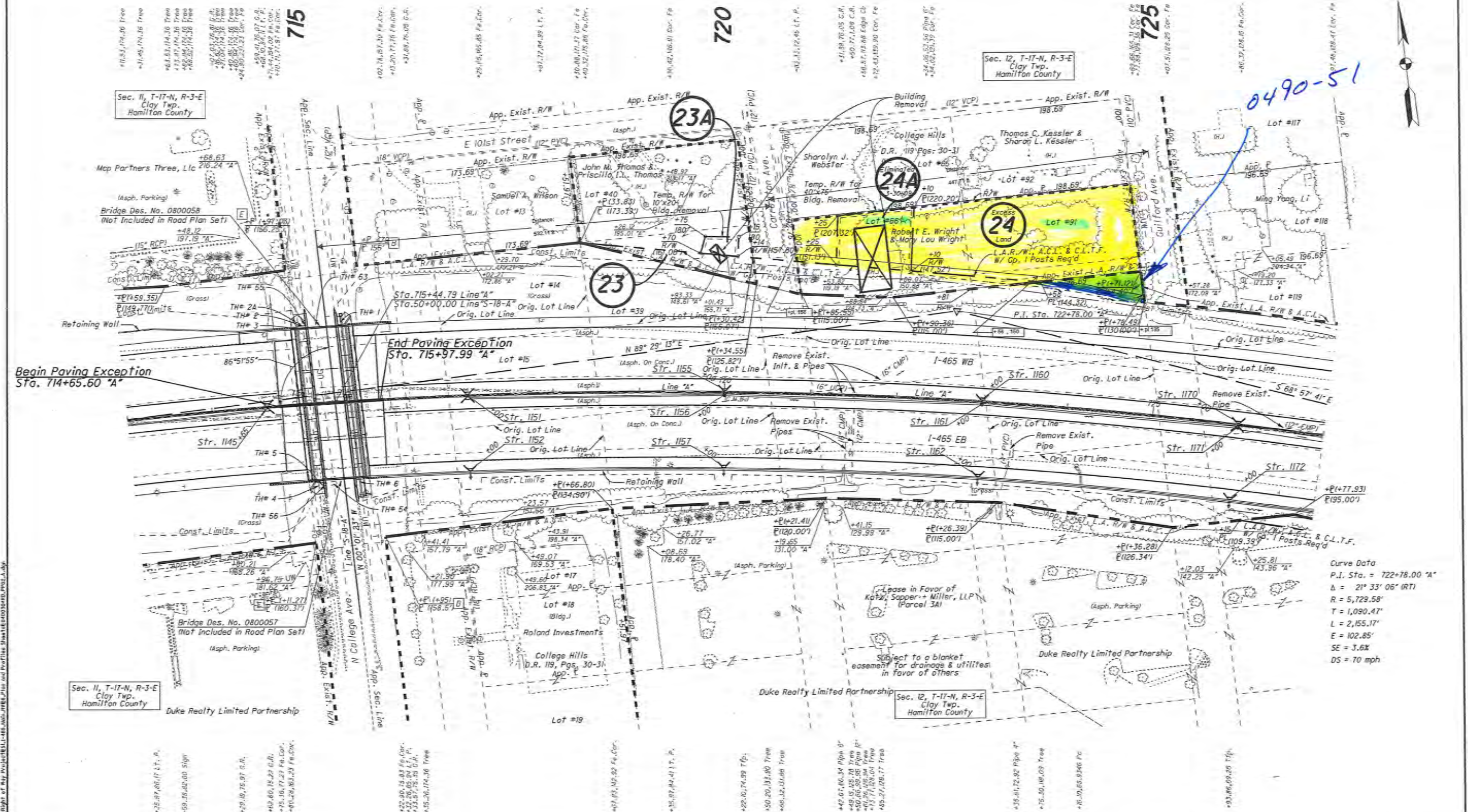
DATE: 6/18/2009  
TIME: 11:14 PM  
LOCATION: Z:\2008\0800\Design\Condition\Map Project\151-465 Main Plan.dwg  
DRAWN: J.R.A.  
CHECKED: J.R.A.  
DATE: 6/18/2009





HORIZONTAL SCALE		BRIDGE FILE	
1" = 100'			
VERTICAL SCALE		DESIGNATION	
		0400289	
SURVEY BOOK		PAGE	SHEETS
ELECTRONIC / AERIAL		PL-02	53 of 148
CONTRACT		PROJECT	
IR-30710		0400289	





All R/W On This Sheet To Be As Shown.

All R/W On This Sheet Described From  
Line "A" Except As Noted.

Limited Access R/W requirements to apply where indicated  
For Drainage & Structure Information, See Sheets DD-01 and DD-02.

For College Avenue Details  
See Des. No. 0800057.

See Utility Matrix Page XT01 For Test Hole Information.

R/W Legend

☐ *Begin Existing L.A. R/W*

☐ End Existing L.A. R/W

RECOMMENDED  
FOR APPROVAL

DESIGN ENGINEER	DATE
-----------------	------

DESIGNED: JRA DRAWN: JAC

INDIANA  
DEPARTMENT OF TRANSPORTATION

PLAN SHEET  
Sta. 713+00 to Sta. 727+00 "A"

HORIZONTAL SCALE		BRIDGE FILE	
1" = 50'			
VERTICAL SCALE		DESIGNATION	
		0400289	
SURVEY BOOK		PAGE	SHEETS
ELECTRIC / AERIAL		PP-02	70 of 148
CONTRACT		PROJECT	
IR-30710		0400289	





INDIANA DEPARTMENT OF TRANSPORTATION
CONSTRUCTION DETAILS STA. 719+00 to STA. 728+00 "A"

HORIZONTAL SCALE		BRIDGE FILE	
1" = 30'			
VERTICAL SCALE		DESIGNATION	
NONE		D400289	
SURVEY BOOK		PAGE	SHEETS
ELECTRONIC / AERIAL		CD-04	123 of M8
CONTRACT		PROJECT	
IR-30710		0400289	

**EXHIBIT D**

**Hold Harmless Affidavit**

STATE OF INDIANA       )  
  )SS:  
COUNTY OF \_\_\_\_\_ )

**AFFIDAVIT**

Comes now the Affiant(s), \_\_\_\_\_, and swear and affirm to the following:.

- 1)     That the above Affiant(s) shall **hold harmless and indemnify** the State of Indiana and its agent Indiana Department of Transportation and accept the property transfer through Quit Claim Deed without any Warrants and receive property As-Is.

SUBSCRIBED AND SWORN TO THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

\_\_\_\_\_

Affiant's printed name

\_\_\_\_\_

Affiant's signature

State of Indiana       )  
  ) SS:  
County of \_\_\_\_\_ )

Subscribed and sworn to before me a Notary Public this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_

Notary Public

A Resident of \_\_\_\_\_ County Indiana  
My Commission expires: \_\_\_\_\_